

MINUTES OF THE SEPTEMBER 4TH, 2012
CHINCOTEAGUE TOWN COUNCIL MEETING

Council Members Present:

John H. Tarr, Mayor
J. Arthur Leonard, Vice Mayor
Ellen W. Richardson, Councilwoman
John N. Jester, Jr., Councilman
Gene W. Taylor, Councilman
Tripp Muth, Councilman
Terry Howard, Councilman

CALL TO ORDER

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

INVOCATION

Councilman 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.

- Ms. Denise Bowden expressed her opposition to the donation requested for the Rural Health Dentistry Division. She feels that the Town has other needs to be met before giving out funds. She gave an example of the recent request for donations to the Cemetery Fund. She asked Council to consider the needs of the Chincoteague residents and use the money on the Island.
- Mrs. Peggy Thomas mentioned the Chicken City Road, Ridge Road and Church Street intersection. She advised that the motorists are running the stop signs. She asked if VDOT could use the stop light from the old drawbridge there or put in a 4-way stop.

Councilwoman Richardson advised that VDOT was going to do a study to see if it was necessary to install a light there.

Mrs. Thomas also added that she agrees with Ms. Bowden regarding the donation to the Dentistry Division.

Councilman Howard discussed the intersection. He doesn't understand why they're not stopping.

Building and Zoning Administrator Lewis also advised there are major problems with everyone running the stop sign including bicyclists. He advised of several accidents and feels that

someone will die there if something isn't done. He also added that vehicular speed is also a problem.

There was further discussion.

- Mr. Frank Theisen also commented on the dangers of the realigned intersection. He stated that as a trolley driver it's a dangerous intersection. He suggested changing the stop signs to stop on Church Street.

STAFF UPDATE

Planning Department

Town Planner Neville stated that the Planning Commission met on August 14th and reviewed two items that may be considered for an annual zoning ordinance update later next year. He advised that one was regarding mixed use buildings and the other was regarding parking requirements for wayside stands. He also mentioned rental cabins.

Town Planner Neville discussed the Beach Access issue and reminded Council that Congressman Rigell will conduct a Town Hall meeting Friday. He advised that he included in the packet more information about the grants the Town has applied for.

Police Department

Chief Lewis advised that the monthly report has been included in the agenda packet. He also advised Mrs. Thomas that they have attempted to contact the Burton and the Amrien family for permission to set up on their properties for surveillance of the intersection. He stated that there have been many high speed tickets written over the summer. He also stated that there is a mutual aid agreement from the Accomack County Sheriffs' Department. He advised that he already asked Town Attorney Poulson to review the document and was advised it was acceptable.

Mayor Tarr requested that this be added to the agenda as item 5a.

Chief Lewis also reminded Council that Saturday is the block party and 8th Annual Poker Run. He stated that the motorcycle ride starts at 1:00 p.m. and the block party begins at 5:00 p.m.

Public Works

Public Works Director Spurlock also advised that he included the monthly report in the agenda packet. He stated that the plane is scheduled to fly tomorrow morning for mosquito control, weather permitting.

Councilman Howard asked for clarification regarding spraying.

Public Works Director Spurlock stated that if it's raining, they can't spray as it wouldn't do any good. He stated that if it's blowing the spray dissipates and wouldn't do any good. He explained the various types of mosquitoes. He also advised that he has been working with VDOT with the signals at the intersections of Maddox Boulevard and Deep Hole Road and also Maddox Boulevard and Chicken City Road.

Mr. Dean Orsino thanked the Public Works Department for their assistance in this issue.

General Government

Town Manager Ritter stated that the total EMS response was 107 which were 26 less than August of 2011. He advised that the new lights have been installed and working in the downtown area along with the shipyard bollards. He advised that they will be painted black in a few weeks. Town Manager Ritter also advised that Eastern Shore Communications is ready to begin the 8 week pilot project. He asked if there were any objections from Mayor or Council to be put on the list as part of the pilot project. He explained that it is basically a wireless system that will be faster than their DSL line and the pilot project will allow them to compare the two.

Town Manager Ritter reported that there will be a workshop with the Beach Committee on September 13th, 2012 at 5:00 p.m. He stated that there will be a briefing on the baseline of the economic report. He also added that Mr. Martin Crim will meet with Council on the 27th at 5:00 p.m.

Councilman Howard asked about the water revenue decrease.

Town Manager Ritter didn't have a reason why the water revenue is down. He stated that last year was a good year and it's a possibility the economy is down a little. He also stated that the Town is still doing well overall.

There was discussion as to the visitors during Labor Day weekend.

AGENDA ADDITIONS/DELETIONS AND ADOPTION

Councilman Howard motioned, seconded by Councilwoman Richardson to adopt the agenda adding item 5a, Mutual Agreement Between the Town of Chincoteague, Inc. and the Accomack County Sheriff's Department . Unanimously approved.

1. Consider Adoption of the Minutes

- **Regular Council Meeting of August 6th, 2012**
- **Special Council Workshop of August 23rd, 2012**

Councilwoman Richardson motioned, seconded by Councilman Jester to adopt the minutes of the Regular Council Meeting of August 6th, 2012 and the Special Council Workshop of August 23rd, 2012. Unanimously approved.

2. Public Hearing on Chapter 22, Article VI. Grass, Weeds and other Foreign Growth on Private Property

Mayor Tarr asked if this was properly advertised.

Town Manager Ritter advised it was properly advertised.

Mayor Tarr opened the public hearing. He asked if staff reviewed the ordinance.

Town Manager Ritter explained to the public that this is a public hearing and the comments will be given to the Ordinance Committee. He added that there will be another opportunity for the public to comment at the first meeting in October.

Town Manager Ritter explained that the reason this was brought to Council was because of several complaints this past year. He stated that the Town asked Delegate Lynwood Lewis to introduce an amendment to the State Code Section 15.2901 to allow Chincoteague to control cutting grass, weeds and other growth for developed properties. He also stated that this was presented to the General Assembly and was approved by the Governor on March 30th to go into effect July 1st. He advised that when this ordinance is adopted it can go into effect at that point in time. He also added that Building and Zoning Administrator Lewis will show some slides that will give the gist of the ordinance of Section 159, 160 and 161. He asked Planning and Zoning Administrator Lewis to explain the Power Point presentation of properties that could be potential problems for enforcement.

Building and Zoning Administrator Lewis stated that the cemeteries are an issue because of ownership and who to contact for overgrowth. He continued to show pictures of different overgrown lots. He asked for direction from Council. He also asked about the area owned by VDOT. He asked if the Town would be able to maintain the right-of-ways to the 6 inch height.

Councilman Howard stated that the height can be changed.

Building and Zoning Administrator Lewis stated that there is a problem of flowers verses weeds. He spoke of ivy on a house. He stated that there was a property that was cleared for water service and septic on Ridge Road. Now, the owner is allowing it to return back to its natural state. He feels this is in violation. He asked Council for direction once a property has been cleared. He continued to show pictures of cut grass but not weed eating along the fence and he feels it's still in violation.

Building and Zoning Administrator Lewis addressed the bamboo issues in the front of a house. He stated that there are a lot of properties on the island that have deep lots with the house is on the front part and the back part is overgrown or at its natural state. He advised that according to the wording of the draft ordinance it's in violation. He asked if they should be required to clear the 5' strip even if there's no one there. He also mentioned Camper's Ranch and dealing with the large tracts of land.

Mayor Tarr stated that he will consider this staff's input. He asked someone to explain to the audience what is proposed in the ordinance.

Town Attorney Poulson explained that it's the owner's responsibility to take care of their property. He stated that it initially applies to uncontrolled growth or vegetation of every kind standing or growing on any lot or parcel other than trees, ornamental shrubbery, flowers, vegetable gardens or grasses or bushes classified as wetlands under any local, state or federal law. He explained concerns in the area of Wildcat. He tried to revise the definition to read uncontrolled or unmanaged vegetation of every kind standing or growing on any lot or parcel other than trees, ornamental shrubbery or vegetation, flowers, vegetable gardens or grasses or

bushes classified as wetlands under any local, state or federal law. He explained that everything can be managed or controlled in Wildcat.

Town Attorney Poulson stated that it applies to three kinds of property, first to any undeveloped property, which does not contain a structure or other improvement or not served by the Town's water system or installed sewage disposal system. The second is vacant developed property which is property that contains either a structure or other improvements or has the Town's water system or has a sewage disposal system and no person or entity has either resided, conducted any business, other activity or physically occupied the lot or parcel any time within a 45 day period preceding any notice from the Zoning Administrator to cut the grass. The third is occupied property which is basically the same thing except someone has been there within the 45 day period. He added that violations occur when the vegetation gets too high.

Town Attorney Poulson continued to explain that at this point in time regarding vacant developed property, a house on Ridge Road and no one has been there for 3 or 4 months. He stated that if the grass exceeds 6" it has to be cut, and any occupied property that exceeds 6" has to be cut. He added that there was no requirement that required anyone to cut or clear undeveloped property. He also explained that on undeveloped property there is a depth of 5' of any adjacent property or any street, roadway or easement that has to be cut when it gets to 10" down to 3". He stated that sometimes there are properties that may be 500' deep and the house in on the front 100'. Town Attorney Poulson feels this could be worded: notwithstanding the preceding provision, the part of any such property located 10' or more wayward or more that actually use in conjunction with the structure of property shall be cut in accordance with Section 161. He explained that it would be the same for the back part as undeveloped property.

Town Attorney Poulson also stated that every time there is a violation it is a civil penalty and for each time, up to 3 times, and is a \$50.00 fine. He added that it can't go over but so much in a year's time. He stated that it can reach the point that it becomes a class 3 misdemeanor which is punishable by \$250.00 and only charged to a repeat offender. He stated that if Building and Zoning Administrator Lewis sees someone in violation, he will send the owner a notice by certified mail, return receipt requested. He added that if the owner doesn't cut it within 10 days of the notice then the Town can cut it and bill the owner. If the owner doesn't pay the bill within 15 days the Town can put a lien on the property. He expressed the importance of the 3 different types of property. He stated that the height requirements should be reviewed.

Mayor Tarr opened the public hearing.

- Mr. Bob Manoil, of Anderton Avenue, advised Council that he participates in the Adopt-a-Road Program and adopted Anderton Avenue. He stated that it is discouraging to see people not maintain their property. He doesn't feel it is fair to have to call Building and Zoning Administrator Lewis every time they are in violation. He suggested a letter to be issued by the person responsible for that road in the Adopt-the-Road Program. He also complained about the grass cutting businesses that are pushing clippings into the road causing clogged drains. He feels the grass cutting businesses should be responsible for edging also. Mr. Manoil also expressed his concerns about phragmites.

- Ms. Denise Bowden doesn't understand how this pertains to some properties and not to others. She explained the property adjacent to her grandmother's property. She stated that this is undeveloped property and now overhangs onto her grandmother's property. She asked how this proposal addresses these issues.

Town Attorney Poulson stated that owners would be responsible to cut back 5' from the lot line.

- Mr. Dean Orsino, of Main Street, stated that some of the private lanes have shrubs that hang into the right-of-way causing access issues for emergency vehicles. He suggested a 5' rule to cut back overgrowth from the private roads also.

- Ms. Nancy Lane, of Main Street, urges Council to use caution when approving the proposed ordinance. She advised that she has several deep lots. She explained that the front of her lots are homes and the back of her lots have bamboo or swamp and in order to cut the back portion of her lots she would have to bring in many loads of fill. She urged Council to think of the geographical issues.

- Mr. Frank Theisen explained his home and stated that at the back end of his house is a shared drain field. He stated that the grass there is very high and asked how this would be classified.

Building and Zoning Administrator Lewis identified this as one of those properties that they want to go back to their natural state.

Town Attorney Poulson asked how far behind the house this part of the lot is.

Mr. Theisen advised that it is approximately 300'.

Town Attorney Poulson feels this could still be classified as an improvement which could mean a developed property.

Building and Zoning Administrator Lewis agrees with the Town Attorney Poulson that it should be classified as improved.

Mr. Theisen stated that he has an easement down the whole side.

Town Attorney Poulson advised he would have to cut it back.

There was further discussion.

Town Attorney Poulson stated that the ordinance can't be drafted to fit every situation on Chincoteague. He stated that if there are two adjoining undeveloped pieces of property they would have to cut a 5' strip down the line of each property giving a 10' strip.

Town Manager Ritter stated that at the Ordinance Committee they were thinking of adding the language in Section 22.161 "any adjacent developed property". He stated that if the 5' is

adjacent to developed property it applies and if it isn't adjacent to developed property it doesn't apply.

Councilman Howard feels it should be occupied developed property.

Councilman Leonard asked about a property that is owned by multiple heirs and neither of them does anything with the lot. He wanted to know how they enforce this.

Building and Zoning Administrator Lewis interjected that the notice will go wherever they are mailing the taxes.

Town Attorney Poulson stated that if they still don't cut it then the Town will put a lien on the property.

Councilman Jester stated that there are several lots that are maintained in the front but not maintained in the back.

Building and Zoning Administrator Lewis and Town Attorney Poulson both explained that if an undeveloped parcel is adjacent to occupied developed property the undeveloped parcel should be cleared 5' back from the occupied, easements and undeveloped properties.

Mr. Manoil feels that possibly the realtors should be given this to reissue to the buyers.

Town Manager Ritter advised that there would be a section in the Ordinance of "notice to cut".

Councilman Jester asked how the Town communicates this to the public that doesn't live here.

Town Attorney Poulson suggested a letter in the tax bills.

There was discussion about height requirements.

Mayor Tarr advised that the Ordinance Committee would be reviewing this again Thursday, September 6th.

Town Manager Ritter asked for a show of hands from the public of who was in favor of some form of the ordinance.

Ms. Bowden added that there are items in the ordinance that needs to be addressed. She feels that it needs to be reviewed further because there are so many regulations.

Town Attorney Poulson feels that the Town should maintain their own property first.

Mrs. Thomas commented on her garden and the weeds.

Ms. Jenny Coyne, of Church Street, feels no one should cut anything until the owner has been contacted.

Mayor Tarr closed the public hearing. He asked Building and Zoning Administrator Lewis to be present at the next Ordinance Committee meeting, Thursday, September 6th, 2012 at 5:00 p.m.

Town Attorney Poulson mentioned the cemeteries.

Mayor Tarr stated they are working on the cemeteries and hopefully this winter will have a list of who owns them and who is responsible for maintaining them.

Town Attorney Poulson suggested asking the court for those having to do community service for refuse collections along highways and possibly have them clean up the cemeteries.

Mayor Tarr asked Town Attorney Poulson if there was anything that he would like to see changed.

Town Attorney Poulson advised that they should address cemeteries, give consideration to undeveloped property adjacent to undeveloped property.

Mayor Tarr stated that if there were any further comments to give them to Town Manager Ritter for the Ordinance Committee meeting.

3. Public Safety Committee Report of August 7, 2012

Mayor Tarr advised that that report is in the Council's packet and asked for comments or questions.

Councilman Muth asked if there was an update on scooters.

Mayor Tarr stated that the final direction was for the Police Department, EMS and a member of Town staff to contact all the rental shops for a meeting.

Councilman Muth also asked if there as an update of what the state is doing to pursue the scooters with 49 CCs.

Chief Lewis stated that the Virginia State Police advised him that the General Assembly is trying to pass in January to make it mandatory for helmets and tag mopeds. He added that the trouble with the mopeds is that they're stamped with 49 CCs and most of them are more than 49 CCs.

Mayor Tarr directed staff to see if anything is going to the General Assembly.

Councilman Jester commented about having to put a child in a restraint in a car but not having to on a moped or scooter.

4. Budget & Personnel Committee Report of August 14, 2012

- **Donation to the Eastern Shore Rural Health for the Dentistry Division**

Mayor Tarr stated that the report is included in the agenda packet. He advised that there is an item that was brought to the Committee from the Eastern Shore Rural Health. He is unsure of a dollar amount that staff was researching.

Town Manager Ritter advised that there was a little more than \$1,500 in the discretionary fund that could be budgeted for this. He added that it is up to Council for the amount.

Mayor Tarr stated that the Eastern Shore Rural Health is building a new wing and they are looking to purchase the equipment.

Councilman Howard asked if this was for those who couldn't pay for dental services.

Mayor Tarr advised it would be for both. He stated that those who couldn't pay are put on a sliding scale.

Councilwoman Richardson advised that the Accomack County School System has dental services for the children.

Mayor Tarr stated that they have it for some schools.

Councilwoman Richardson added that she has carried Chincoteague students to other schools for this purpose.

Mayor Tarr asked Council for their input.

Councilman Taylor stated that if there was a place on the Island he would make a motion. He feels that the Island residents won't benefit because there is already dentistry here.

Vice Mayor Leonard stated that this is for those who can't afford dentistry services as the Rural Health System is for those who can't afford it or will pay a reduced fee.

Councilman Muth agreed and is for it.

There was further discussion.

Vice Mayor Leonard asked if the Eastern Shore Rural Health Board have an Island representative.

Mayor Tarr stated they will ask Rural Health to make a presentation to Council.

5. Proclamation, "Proclaiming American Legion Day", September 16, 2012

Councilman Howard motioned, seconded by Councilwoman Richardson to adopt the Proclamation of American Legion Day as September 16th, 2012. Unanimously approved.



PROCLAMATION
“American Legion Day”

The Mayor of the Town of Chincoteague declares September 16, 2012 as
“American Legion Day.”

The American Legion remains today an active and vigorous advocate for service members, veterans and their families not only on Capitol Hill, but right here in Town of Chincoteague. Among its greatest legislative achievements was the enactment of the GI Bill of Rights. The initial draft of the GI Bill was written by Legionnaires at the Mayflower Hotel in Washington, DC. Many consider the GI Bill as one of the greatest pieces of legislation ever enacted.

With a current membership of 2.4-million wartime veterans, The American Legion was founded in 1919 on the four pillars of a strong national security, veteran’s affairs, Americanism, and youth programs. Legionnaires work for the betterment of their communities through more than 14,000 posts across the nation.

WHEREAS, the 93-year-old veteran’s service organization, the largest in the nation, is recognized for its continuing work to aid wounded warriors and military families, for Legionnaires’ legacy of community volunteerism and for the organization’s significant role in establishing important national legislation; and

WHEREAS, all citizens in the Town of Chincoteague wish to join in supporting this well-earned measure, demonstrating our mutual esteem and reverence for this outstanding organization; and

WHEREAS, Congress presented The American Legion its federal charter on September 16, 1919 and it is only fitting that we proclaim September 16, 2012 as ‘American Legion Day’

NOW THEREFORE, BE IT RESOLVED I, Mayor John H. Tarr, proclaim September 16th as American Legion Day within the Town of Chincoteague.

DATED this 4th, day of September, 2012

Mayor John H. Tarr
Town of Chincoteague, Inc.

5a. Mutual Agreement Between the Town of Chincoteague, Inc. and the Accomack County Sheriff's Department.

Vice Mayor Leonard motioned, seconded by Councilman Muth to adopt the Mutual Agreement between the Town of Chincoteague, Inc. and Accomack County Sheriff's Department. Unanimously approved.

Law Enforcement Mutual Aid Agreement

THIS AGREEMENT, made this 4th day of September, 2012, by and between the TOWN OF CHINCOTEAGUE, VIRGINIA, a mutual corporation of the commonwealth of Virginia and ACCOMACK COUNTY, VIRGINIA.

WHEREAS, Virginia law authorizes local governments and Sheriffs in counties where no police department has been established to enter into reciprocal agreements for mutual aid and for cooperation in the furnishing of law enforcement services; and

WHEREAS, the Town of Chincoteague and the Sheriff of Accomack County have determined that the provision of law enforcement aid across jurisdictional lines will increase their ability to preserve the safety and welfare of the entire area; and

WHEREAS, it is deemed to be mutually beneficial to the parties hereunto to enter into an agreement concerning mutual aid and cooperation with regard to law enforcement; and

WHEREAS, the parties desire that the terms and conditions of this Law Enforcement Mutual Aid Agreement be established;

NOW, THEREFORE, in consideration of the mutual benefits to be derived from a Law Enforcement Mutual Aid Agreement, the parties hereunto covenant and agree as follows:

1. Each party will endeavor to provide law enforcement support to the other party in this Agreement within the capabilities available at the time the request for such support is made and within the terms of this Agreement.
2. Requests for assistance pursuant to the terms and conditions of the Agreement shall be made by the requesting jurisdiction's Chief of Police or Sheriff or his respective designee.
3. The requesting party shall be responsible for designating a radio communications system for use by the requesting party.
4. The personnel of the requesting party shall render such assistance under the direction of the Chief of Police, Sheriff or the respective designee of the requesting party.
5. Law Enforcement support provided pursuant to this Agreement shall include, but not be limited to, the following resources: uniformed officers, marine patrol officers, canine officers, aerial support when maintained, forensic support, plainclothes officers, special operations personnel and related equipment. All law enforcement officers and personnel shall be duly trained and currently certified through the DCJS for the position provided.
6. Subject to the terms of this Agreement, and without limiting in anyway the other circumstances or conditions in which mutual aid may be requested and provided under

this Agreement, the parties hereunto agree to provide assistance to the requesting party in situations requiring the mass processing of arrestees and transportation of arrestees. The parties to the Agreement further agree to assist the requesting party with security and operation of temporary detention facilities.

7. Nothing contained in this agreement should in any manner be construed to compel any of the parties hereunto to respond to a request for law enforcement support when the personnel of the party to whom the request is made are, in the opinion of the requested party, needed or are being used within the boundaries of that party, nor shall any request compel the requested party to continue to provide law enforcement support to another party when its personnel or equipment, in the opinion of the requested party, are needed for other duties within the boundaries of its own jurisdiction.
8. In those situations not involving the provision of mutual aid upon request, law enforcement officers and personnel, and other employees of the Sheriff hereunder, may also enter the other's jurisdiction in furtherance of law enforcement purposes, concerning any offense in which the entering law enforcement agency may have a valid interest; provided, that the entering personnel shall, as soon as practical, make such presence known to the chief of Police or Sheriff of the entered jurisdiction, or his designated representative.
9. The responsibility for investigation and subsequent actions concerning any criminal offense shall remain with the law enforcement agency of the locality whose court has original jurisdiction over the offense. Entering law enforcement personnel shall promptly notify the law enforcement agency of the entered locality upon discovery of a crime over which the court of the entered locality has original jurisdiction.
10. Officers acting pursuant to the Agreement shall be granted authority to enforce the laws of the Commonwealth of Virginia and to perform the other duties of a law enforcement officer; such authority shall be in conformance with Virginia Code Section 15.2-1730.0; however, law enforcement officers of any party who might be casually present in any other jurisdiction shall have power to apprehend and make arrests only in such instances wherein an apparent, immediate threat to public safety precludes the option of deferring action to the local law enforcement agency.
11. All law enforcement officers, agents, and other employees of the parties of this Agreement who are acting pursuant to this Agreement shall have the same powers, rights, benefits, privileges, and immunities in each other's jurisdiction, including the authority to make arrests in each other's jurisdiction.
12. The services performed and expenditures made under this Agreement shall be deemed to be for public and governmental purposes and all immunities for the liability enjoyed by the parties within their boundaries shall extend to their participation in rendering assistance outside their boundaries. It is understood that for the purposes of this Agreement, the responding party is rendering aid once it has entered the jurisdictional boundaries of the party receiving assistance.
13. All pension, relief, disability, worker's compensation, life and health insurance, and other benefits enjoyed by said law enforcement officers or personnel as employees of their respective jurisdiction shall extend to the services they perform under this Agreement outside their respective jurisdictions. Each party agrees that provisions of these benefits shall remain the responsibility of the employing party.

14. Each party agrees that, in activities involving the rendering of assistance to another party pursuant to this Agreement, each party shall waive any and all claims against all other parties thereto which may arise out of their activities outside their respective jurisdictions. It is expressly understood that the provisions of this paragraph shall not apply to entry of law enforcement officers or other personnel into another jurisdiction pursuant to Paragraph 8 of this Agreement.
15. The parties shall not be liable to each other for reimbursement for injuries to law enforcement officers or personnel, or damage to equipment incurred when going to or returning from another jurisdiction, except to the extent that reimbursement for such expenses may be or is received from the Federal Emergency Management Agency (FEMA) or another government agency. Neither of the parties shall be liable to each other for any other costs associated with, or arising out of, the rendering of assistance pursuant to the Agreement, except to the extent that reimbursement for such expenses may be or is received from FEMA or other government agency.
16. This Agreement rescinds and supersedes all previous written agreements and oral understandings relating to the provision of mutual law enforcement services between the parties.
17. Any of the parties hereunto may withdraw from this Agreement by giving thirty (30) days written notice to the effect to the other parties hereunto.

IN WITNESS WHEREOF, the parties hereunto have caused this Agreement to be executed by their respective City Manager and County administrator or Sheriff, the official seal of each city and county affixed hereunto and attested by their respective authorizing the execution. Sheriffs may attest by Notary Public.

TOWN OF CHINCOTEAGUE:

BY: _____

ATTEST: _____

COUNTY OF ACCOMACK:

BY: _____

TODD E. GODWIN, SHERIFF

ATTEST: _____

6. Mayor & Council Announcements or Comments

Councilman Howard reminded that the deadline for the ordinance regulating the strapping down of propane tanks is approaching. He asked Town Attorney Poulson if there is a state code pertaining to this.

Town Attorney Poulson advised he was unsure without researching it further.

Town Manager Ritter advised that in the state building code it states any “new” tank installations are required to be strapped down.

Councilwoman Richardson complained about the cost associated with the strapping down of her gas tank. She reminded Council that they adopted the ordinance because FEMA recommended it. She asked that if someone challenges it could they be fined for not having it done.

Town Attorney Poulson advised that the ordinances were passed for the safety and welfare of the citizens; however, he will look into the matter further.

There was further discussion.

Mrs. Thomas asked about her mobile home park. She advised that all but 2 have strapped their tanks. She asked who was responsible.

Building and Zoning Administrator Lewis advised that the property owners are responsible.

Mrs. Thomas advised that she sent every resident a letter and all but 2 have had them strapped.

Mayor Tarr asked staff to start advertising or re-advertising.

Town Manager Ritter advised that it is on Channel 9, on the website and he will put it back in the paper.

Councilman Taylor thanked mosquito control for spraying the football field prior to the football and soccer players.

Councilman Jester stated that the new lights look fantastic down town.

Mayor and Council complimented Public Works Director Spurlock for the new employee Mr. Donnie Thornton, for doing a very good job pruning trees and grooming the landscaping.

Town Manager Ritter reminded Council of the Bridge the Past and the Future celebration on September 29th for the Assateague Bridge. He also reminded Council of the Wastewater Advisory Committee meeting on the 27th.

Public Works Director Spurlock reminded Council of the Public Works Committee meeting tomorrow at 5:00 p.m.

Mayor Tarr announced that Congressman Scott Rigell will be in the Council Chambers Friday at 10:00 a.m. until 11:30 a.m.

Adjourn

Councilwoman Richardson motioned, seconded by Vice Mayor Leonard to adjourn.
Unanimously approved.

Mayor

Town Manager