

TOWN COUNCIL MEETING
JULY 9, 2013

PRESENT

Fred Janci, Mayor

Bonnie Munn, Vice Mayor

Tres Atkinson

Stuart Bell

Selina Coulbourne

Aileen Joeckel

John Joeckel

Town Clerk: Lynn Weeks

TOWN COUNCIL MEETING

I. Public Comments

J.T. Swineford, Jr. came in to discuss the orange balls on the power lines at the Seaside Memorial Park. Mr. Swineford felt that they were dangerous, unnecessary and ugly. With these orange balls it is an open invitation for aircraft to land there and also was concerned about the power lines being affected.

Randy Powell stated he did not care one way or the other, however he felt it was laudable as to emergency landing. He stated he has seen these orange balls half the size. Mr. Powell went on to suggest vacant properties, if approved by the current owners, could be a consideration.

Joanne Cantamessa suggested using the Powell Memorial Town Park as a possible location.

John Joeckel responded to these inquiries by saying there is no way to prevent aircraft from landing but, according to Virginia law they can be restricted. It is felt by Mr. Joeckel that having the orange balls in the location they are in is an open invitation for aircraft to land. Mr. Joeckel went on to state that any aircraft landing here would be acceptable for medical or flight emergencies, however, medical landings could also be at the Accomack Airport since that is only 10 minutes away, non-medical, non-emergency landings should not be permitted on public park property.

The questions came up as to who authorized the orange balls to be put up. It was mentioned that ANEC put them up at no cost to the Town. Mr. Joeckel indicated that he has briefly reviewed previous Town Council Minutes when Dan Bilicki was Mayor and did not find any discussion of these orange balls. Selina Coulbourne, Bonnie Munn and Stewart Bell did not recall ever voting on this.

Mayor Janci had been in communication with Mr. Bilicki on this matter, but only via e-mails. It was the consensus of Council that Mr. Bilicki did this on his own without authorization.

Joanne Cantamessa discussed the 4th of July Celebration and how lovely it was. But, she noted that not all of the Town Council attended, which would have been appropriate. She further stated that no one from the Wachapreague Fire Department or U.S. Coast Guard attended.

Chris Wardius also complimented the Town on the 4th of July Celebration.

Chris Wardius then went on to discuss the Marina Easement which extends behind the Wachapreague Inn and he indicated that he has no problem with this Marina Easement going forth. Mr. Wardius referenced the Septic Easement, which is deeded, and indicated that the Inn and the Marina will need a new easement, but that will be between the two businesses. He believes it is beneficial for everyone to work together.

TOWN COUNCIL MEETING
JULY 9, 2013

Regarding the coastal waterway markers Mr. Wardius feels if they remain where they are boats will be able to continue to navigate with confidence. He is fully aware of the Petition and has spoken with all of his customers about it. He wanted to know who the most important person or persons would be for contacting.

John Joeckel indicated the key player would be the individual addressed in the Public Comment Notice and the other key individuals to receive correspondence would be our local, state and federal officials. It is important that all adversely affected stakeholders send comment letters, especially the Charter Boats, since the USCG would like to get their opinions. However, he went on to say the next step is more difficult. Once the navigational markers disappear it becomes a non-federally maintained waterway and, once non-federally maintained, the shoaling will continue and continue until you eventually can't get out by Bradford's Bay or Burton's Bay. It will be straight out the inlet only. Once you start losing your tributary connections to the inlet channels it is easy for the Government to take the next step which is to not maintain and eventually remove the navigational aids to the inlet and that will be it. Eventually, if we do not save the inside passage the Coast Guard may not be able to justify maintaining Station Wachapreague. All of these factors are interconnected and with the Coast Guard looking for all ways to cut operating costs it is certainly something to be aware of. The big player here is the Coast Guard and should we lose their presence in Wachapreague we will lose on significant Army Corp of Engineers prioritization issue used for dredge funding. This is not going to happen tomorrow but probably over the next ten years. We need to keep these navigational aids until we can show a program of getting funding for the VIP over a period of multiple years.

II. Call to Order

Mayor Janci called to Order the Town Council Meeting at 7:25 p.m. on July 9, 2013 in the Wachapreague Town Hall.

III. Pledge of Allegiance

Mayor Janci led the Council and Public in the Pledge of Allegiance.

IV. Approval of Minutes

John Joeckel made a Motion to Approve the Minutes for the May 28, 2013 Special Town Council Meeting FY 2014 Budget Workshop, the June 11, 2013 Town Council Meeting and June 18, 2013 Special Town Council Meeting and Vice Mayor Bonnie Munn seconded the Motion. There being no further discussion, the May 28th and June 11th Motions were voted upon and passed unanimously and the June 18th Motion, with the exception of Councilman Tres Atkinson, who was absent on that date, also passed unopposed.

V. Review of Financial Report

Mayor Janci passed the meeting over to John Joeckel. Mr. Joeckel stated that Mary Jo Tatum indicated there are still general entries to be made especially with regard to depreciation calculations, as such this report will be an estimate of the financials.

The Town ended the 2012 year with \$129,000 in savings which is up about 11.5%. Mayor Janci indicated the Town now has \$50,000 in C.D.'s broken down as follows: \$20,000 - 90 days; \$15,000 - 120 days; \$15,000 - 150 days. He advised that after the initial 90 days the interest will come due every 30 days thereafter. Mr. Joeckel stated there will now be a little interest versus no interest from the previous policy of keeping cash in a non-interest bearing checking account.

Meals Tax for 3 months was close to \$7,000 leaving \$1,700 to carry over for Tourism. Net income was \$15,500 versus the 2013 projected budgeted loss of \$850. This is basically due to council eliminating council compensation and the revenues of the Meals Tax, neither one

TOWN COUNCIL MEETING
JULY 9, 2013

being taken into account when the 2013 budget was developed. Depreciation will impact the preliminary stated income.

The Marina last year had savings of \$90,000 and this year \$105,000 which is an increase of 16.5%. We are also going to reduce the Interest Free Checking and have placed \$60,000 in Suntrust C.D.'s broken down as follows: \$20,000 - 90 days; \$20,000 - 120 days; \$20,000 - 150 days. Once again, after the initial 90 days the interest will be due every 30 days thereafter.

That will leave about \$45,000 in the Checking Account for dredging and dock repairs. We had a Grant for \$80,000 that we will need to spend in order to be reimbursed. Within the Grant the State will pay 75% and we have to match 25%. That \$45,000.00 in cash needs to be fluid to pay for the dredging and repairs.

Net income for this year is \$13,000 before depreciation versus last year with a budget of break even. Basically, last year we had a negative of approximately \$23,000. This year the net income is \$13,000 in the positive, with depreciation of \$30,000 so once again we will end up in the negative.

I asked for the Customer Balance Summary of Property Taxes and Vehicle Decals/Tags. There is over \$6,000 in outstanding revenue. I have asked if this includes penalties and interest. It was mentioned that Mary Jo is asked to prepare invoices for past due taxes which does include penalties and interest.

Now that we are into our 2014 Budget, all items we have been holding off on, like the computer, we may go forward and purchase.

IV. Old Business

A. Marina

John Joeckel indicated that he had nothing to report.

B. Virginia Inside Passage: Aids to Navigation

John Joeckel went through the steps he has taken to date in opposition to the U.S. Coast Guard's Proposal:

- Wrote a large "Viewpoint" article in the Eastern Shore News and Chincoteague Beacon regarding why it is important to the Eastern Shore.
- Wrote a letter to the United States Coast Guard 5th District with copies to:
Commanding Officer Army Corps of Engineers Norfolk District
Commandant USCG
Commanding Officer USCG Sector Hampton Roads
- Spoke with Northampton Supervisor, Willie Randall, who has this issue on their July 9th Meeting Agenda
- This issue was discussed at the June 19th Supervisors Meeting and, Mr. Joeckel is aware of a Supervisors Meeting on July 17th that he would like someone from the Council to attend, as he will be out of town and, in discussion with Steve Minor, this will be placed on their Agenda
- He has heard from State Delegate Lewis who wants to see him in the near future
- A letter has been sent to Governor McDonnell
- He has communicated with Secretary of Transportation Connaughton who was extremely helpful in the dredging for the Town.
- A letter and e-mail has been sent to Congressman Rigell (Note: All letters that have been sent are different)
- Letters have gone to Senators Warner and Kaine
- He has corresponded with the Chincoteague Charter Boat Association and has been advised they will be posing a letter to the Coast Guard today.

TOWN COUNCIL MEETING
JULY 9, 2013

- He has also corresponded with Steve Minor and Stewart Hall. He requested Mr. Hall have the Delmarva Water Transport Committee's support to oppose proposal with letter to USCG. Stewart Hall is on the Board of Directors with Accomack County. He is still awaiting word from them.
- A Petition was circulated and we obtained 80 signatures. That was sent to the USCG 5th District by e-mail on July 8th.
- Mr. Joeckel prepared a letter to the Commander 5th Coast Guard District that was signed by every council member during the meeting with copies going to Donald Hart, Chairman Accomack County Supervisors; John Gray, Vice Chairman Accomack County Supervisors; Lynwood Lewis, Virginia Delegate; Ralph Northam, Virginia State Senator; Colonel Paul B. Olsen, Army Corps of Engineers and Congressman Scott Rigell.
- He has included various Town of Wachapreague stakeholders in correspondence to ensure their continued advisement of issue status.
- A Supervisor's Meeting is scheduled for July 17, 2013 at 5:00 p.m. Mr. Joeckel is unable to attend so Mayor Janci volunteered to be the representative on behalf of the Town. Mr. Joeckel will make the necessary arrangements for this to be on the Agenda.

C. Town Maintenance/Garbage

Bonnie Munn spoke next with regard to the status of the Herbert Powell Memorial Park and the Town garbage truck, as follows:

- She mentioned the trash truck had some problems and that Colonna's has replaced the brake shoes and calipers and it was out an entire week. J.D. went and got some hydraulic fluid for it as well.
- Ms. Munn went on to mention that the Accomack Fence Company has come out and repaired the Herbert Powell Memorial Park's gate.
- The brush truck has now been inspected for another year.
- As to the trash truck, it had two big holes in the rear above the tires, which was repaired by Colonna Industries in Painter. The floor of the trash truck was replaced with 3/8" steel and is felt that it will last the remainder of the life of the truck. The bill for this service is approximately \$600.00.
- The hydraulic hose has been replaced by George Colonna of Melfa on the trash truck.
- Mayor Janci spoke with George Colonna who indicated the trash truck had significant amounts of rust and lots of holes and replacing it is something we should seriously consider.
- John Joeckel indicated that he and Bonnie Munn are going to collaborate on this issue. Mr. Joeckel spoke with Sandy Russell who had done a study of Town versus Davis Disposal picking up the trash back in 2009-2010. He feels that due to the length of time since this study was done a new one should be performed in light of the discussions that have recently taken place.

D. Town Hall Beautification/Maintenance

Tres Atkinson spoke about the upcoming repairs to the Town Hall and advised council that according to Chris Wardius the work should be done within the next two weeks.

E. Streets and Drainage

Stewart Bell addressed the council on the subject of the yellow curbing down by VIMS. He had been informed by VDOT that you can park there as long as there are no signs saying "No Parking" and to make them authentic they would have had to be placed there by VDOT. A discussion followed wherein the Mayor asked what the general population would think of having yellow curbing, and everyone agreed that they would think it meant no parking. Mr. Joeckel has been past VIMS and

TOWN COUNCIL MEETING
JULY 9, 2013

states there are signs which indicate "No Parking". It is believed VIMS took it upon themselves, just as they had the yellow curbing. There were some questions on how best to approach this situation and it was felt an open discussion would be in the best interest at this time. The Mayor indicated that once again a Town resident has taken it upon themselves to do whatever they please, which is not right, and cited the red aviation balls on the power lines, 6 or so yellow caution poles on the sidewalk in front of the building next door, as well as VIMS painting the curbs, etc. Selina Coulbourne feels that everyone should show the same respect for each other as the Town does for them.

Stewart Bell had spoken with VDOT in Richmond where he was able to obtain a Work Order for the sidewalk repair along Main Street. Due to this Work Order, on July 9th Stewart met with John Sharp and Kevin Bailess here in Wachapreague. He was advised that we are on the Priority List and when a contractor is secured the work will begin. The sidewalk will all be a level 4" high. Mr. Bell was advised that there can be no parking on the sidewalk because it leaves cracks and chips and VDOT will not come out to repair them should that happen. There was a question raised about the Post Office as they have no off-road parking. The subject also came up about the solid white line that runs parallel with the curb. That white lines indicate no parking anytime. The Zoning Code was cited that every residence has two off the road parking spots which should eliminate parking on the road. It was also discussed on how best to handle the vehicles parking where they should not. A decision was not made.

F. Safety/Security

Selina Coulbourne stated the issue in the past with the pit bulls has been taken care of due to Animal Control being notified. Ms. Coulbourne was not aware of any other problems.

G. 911 System

Selina Coulbourne has the 911 Map and is working on the comparison with the homes in Town.

H. Powell Memorial Town Park

Bonnie Munn stated there is nothing new with the Park other than the repair of the gate. She has not been in touch with Wayne Burton lately.

I. Seaside Park

Mayor Janci stated that he purchased 3 loads of mulch at \$75.00 per for a total of \$225.00 and that K.C. Kellam donated 3 more loads which have all been used in the Park. There was also a purchase of 7 rolls of landscape material at a cost of \$279.00. He had Victor's crew do 50 hours of work at the Park at a cost of \$1,092.79. Mayor Janci indicated there will be nothing more done at the Park until the fall. He also indicated that he spent \$389.53 on food for the 4th of July Celebration and that in donations, we received \$263.84.

Mayor Janci had been informed of a complaint regarding the fireworks display. The fireworks were not put on by the Town but by some gracious citizens. The Sheriff's Department was called Sunday night by a private citizen and showed up at the Park as the fireworks were ending. They advised that the fireworks were not allowed. John Joeckel addressed the council and informed them that in preparation for next year he has gone ahead and found out how to get a fireworks permit and stated it can be obtained from David Fluhart. Tres Atkinson voiced his opinion and said he had no problem with someone calling in to complain as he too had a problem with the fireworks. Since he works on Monday, having fireworks on a Sunday night, woke his son up and in turn made his wife mad, he then had trouble going to sleep. Mayor Janci mentioned the reason for Sunday night was to accommodate the Firemen who would not be able to attend any night beginning Wednesday and ending Saturday night, due to their work at the carnival. Mr. Atkinson continued by saying had the fireworks been on a Saturday night that would have been fine. Mr. Atkinson also thought a good idea would be to hire a certified pyrotechnics technician such as Chip Little from the Moose Lodge or his friend Bubba Christi.

TOWN COUNCIL MEETING
JULY 9, 2013

Mr. Joeckel made a Motion for approval of \$1,000.00 for 2014 expenditures to Mayor Janci for his continued efforts on the Seaside Park Maintenance Program. Stewart Bell seconded the Motion. There being no discussion, a Roll Call Vote was taken and passed. A copy of the Motion and Roll Call Vote is attached hereto.

J. Tourism/Business and Tourism Advisory Board

Aileen Joeckel advised they are getting signs for the Wachapreague Walk which will consist of a 3 mile walk, basically, out of Town, and a 1 mile Historic Walk in Town. The Committee would like to do some kind of a kickoff, with people walking around maybe even a Physical/Athletic Director. It was thought that possibly the Mayor could cut the ribbon to start the Walk. To keep costs down they will be purchasing fewer signs. It should be noted there will be an Administrative Cost too. They are looking at about 6 weeks or so out but definitely before Marine Science Day which is scheduled for September 28th.

As to Business and Tourism Ms. Joeckel stated they are working on the Grant. The Committee is also interested in the Harrisburg Fishing Show and would like to attend, as well as promoting kayaking, birding and biking to show diversification of the Town. They are working on a slogan as a name tag for the Grant. The Committee wants to erect a kiosk in front of the Town Hall and Nikki Wardius has someone who could carve out of a post a Marlin and Chris Wardius could make a ruck line and attach it to the main post where brochures of the Town and its happenings can be placed.

As to the Marine Science Day event, we will be having a "Crab Bake-Off" that will be spearheaded by Susan Nelson. Ms. Joeckel has also spoken with Stephanie Bonniwell at VIMS and they are looking to coordinate something between VIMS and the Town. It was asked of Ms. Bonniwell if she has access to a professional photographer and was advised the Main Campus is also having an event that day, so she is not sure of the photographer's availability. It was mentioned that photographs would be nice to be placed on our website.

Blake Johnson will be having the Wounded Warriors event again this year at the Island House on November 2, 2013. He has over 500 tickets available.

The 4th of July Celebration came up and everyone felt it turned out great, even mentioned a family that came from Virginia Beach to attend and that they took part in the parade and other events and went home with several ribbons. A great time was had by all.

K. Channel Dredging

Mr. Joeckel circulated the *Army Corps of Engineers Wachapreague Channel After Dredging Survey of June 2013 Waterway on the Coast of Virginia*. They did their survey and were allowed to depart as they felt that they had met their Contract. There was nothing to argue over. After a boat ride from the Island House during dead low tide all the way out past Marker 122, the depth was recorded at 7'. The Coast Guard has declined to place navigational aids. It is up to the Town to supply the markers for the channel using PVC pipes and that would work as the channel is 60' wide and there should be no problem. The problem is getting people used to where the channel is. Mayor Janci had a discussion with the Coast Guard and they advised they are not going to put any PVC pipes in as they are worried about liability and concerns about reduction to the environment. The Corp of Engineers are still in the process of finalizing the survey. The Mayor extended a Thank You on behalf of the Town to Mr. Joeckel for all of his work.

L. Delinquent Real Estate Taxes and Town Tags/Decal Fees

Mayor Janci reported that all properties that are in arrears for over \$400 have either paid or brought it down considerably, except for Grimes. The Grimes property is going for a Tax sale.

TOWN COUNCIL MEETING
JULY 9, 2013

M. Planning Commission Appointments

Aileen Joeckel has one more person to be on the Planning Commission, however, no name was given. Mayor Janci once again asked about the names, phone numbers and e-mail addresses for the members of this Commission. Ms. Joeckel is in the process of gathering this information.

N. Board of Zoning Appeals Appointments

Ms. Joeckel has added another person to the Board of Zoning by the name of Patricia Gragg.

O. Golf Cart Ordinance

Mr. Joeckel spoke and mentioned that the Town Clerk had received word from Chris Isdell of VDOT who advised Andy McLaughlin, an engineer, will be in Wachapreague July 10th to meet with Mayor Janci as to the placement of the golf cart signs. Mr. Isdell mentioned that VDOT will produce the signs and install them at no cost to the Town. The Mayor and Mr. Joeckel discussed the best locations for them indicating one at the entry to the Town on Main Street and another at Richardson. The discussion came up about the Permits required for the Town residents but not for people from out of town who bring in their own golf carts. This would not be fair to the Town's people. A list of local Towns that have Permits for Golf Carts and the fees they charge, is as follows: Cape Charles \$31.00; Exmore \$33.00; Chincoteague \$27.00; Onancock \$1.00 and Saxis \$.0 since they only have one golf cart for a handicapped person. That is the range currently implemented. This is an issue that still needs to be discussed, but at a later time.

P. Mosquito Control

Selina Coulbourne mentioned she has nothing on mosquito control.

Q. Wachapreague Marina Easement

Mayor Janci had sent a letter to the DCR and, after not hearing from them Lynn Weeks called and spoke with Synthia Waymark to find out what DCR's thoughts were regarding the easement. Ms. Weeks informed that they were in the process of moving and asked that she call back after the 4th of July. Ms. Weeks also got in touch with David Rowan with reference to the letter from the Nature Conservancy and was advised he would check on the status and get back to us. Both the DCR communication and receipt of the letter from Mr. Rowan have been placed on the calendar for follow up.

R. New Business

John Joeckel approached the council on the matter of the Town website. There are a number of items that need to be addressed:

- First we really need to look at our website that Carlee Vincent produced. It is due to expire within the next couple of months. On this website there are Minutes of meetings that have not yet been approved; the Meals Tax and Golf Cart Ordinances have not been incorporated and where indicated that you can go on YouTube to hear audio of minutes of meetings, that is no longer available and needs to be removed.
- The old website is still up and totally out of date.
- The website needs to be looked at and decisions made with reference to promoting the Town from a business and tourism standpoint. Aileen Joeckel along with the Business and Tourism Advisory Board are looking to get a Virginia and Marketing Commission Grant for \$10,000 with the Town possibly putting in \$5,000 and the rest of the businesses in Wachapreague putting in \$5,000 to hopefully come up with \$20,000. It is hoped that a piece of that can be used to redo our website and use it as a marketing tool. This will not be accomplished anytime soon but we do need to address the website issue later this year.

John Joeckel once again brought up the issue of Job Descriptions for the Town employee's. The Town Clerk job description needs to be finalized and job descriptions made for all other Town employees. It does not appear the Town employees have a clear understanding

TOWN COUNCIL MEETING
JULY 9, 2013

of what their role and responsibilities are. For instance, Carlee Vincent, who is here on Saturday morning's needs an outline of her duties, such as bringing the website up to date, assisting citizens in purchasing tags/decals and any other service that is needed on behalf of the Town. Who gives her instructions? All of this needs to be outlined in the Job Descriptions.

It was also brought up by Mr. Joeckel that there has been no participation by the Council as to any of the events put on by the Chamber of Commerce, although we pay \$275 annually. Dan Bilicki is still noted as the Town Member to contact and this information needs to be updated. Mr. Joeckel stated we need someone to appear on behalf of the Town. Ms. Joeckel, who is doing all of the marketing, would be the best Council Member to attend, however, it would have to be up to her. Mayor Janci informed all that he and his wife would be attending the upcoming Shore Bank function in Onley.

In preparing a letter recently, which needed to be on the Town letterhead, Ms. Weeks advised of the outdated information on the letterhead. As such, a Town logo for our letterhead as well as our website is needed. This is something that needs to be discussed at a later meeting.

VII. Announcements

None

VIII. Adoption of Motion for Closed Session

Aileen Joeckel made a motion for Council to move into closed session to discuss consideration, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of the Town of Wachapreague where such evaluation will necessarily involve discussion of the performance of specific individuals.

VI. Resolution to Reconvene Open Meeting

Aileen Joeckel made a motion to reconvene open meeting. Selina Coulbourne seconded the motion. A Roll Call Vote was taken and passed. The Motion and Roll Call Vote are attached hereto and incorporated herein.

X. Approval of Salary Increases

Selina Coulbourne made a motion to approve salary increases for J.D. Bradshaw, John Burton, Mary Jo Tatum and Sandi Puchalski in the amount of 3%. Bonnie Munn seconded the motion. A Roll Call Vote was taken and passed with Mr. Atkinson abstaining. The Motion and Roll Call Vote are attached hereto and incorporated herein.

XI. Adjournment

Selina Coulbourne made a motion to adjourn the meeting. Bonnie Munn seconded the motion. The motion was voted upon and passed unanimously. The meeting was adjourned at 9:00 p.m.

CBW
7-9-13

MAYOR

CLERK