

TOWN COUNCIL

Regular Meeting

December 8, 2011

St. Charles Parish Hall

6:00 p.m.

1. Call to Order
 - A. Roll Call
 - B. Establish quorum
2. Invocation and Pledge of Allegiance
3. Public Comments (3 minutes per speaker)
4. Consent Agenda
 - A. Approval of Agenda Format
 - B. Approval of Minutes
5. Report Presentations
 - A. Town Manager
 - B. Treasurer's Report
 - C. Recreation Report
 - D. Library Report
 - E. Harbor Report
 - F. Public Works/Public Utilities Report
 - G. Code Enforcement
 - H. Planning Report
6. Old Business
 - *A. Cape Charles Volunteer Fire Company
7. New Business
 - *A. Resolution to Commemorate and Support the Bicentennial of the American War of 1812
 - *B. Eastern Shore Hazard Mitigation Plan
 - *C. Wireless Broadband Testing
 - *D. Proclamation for Alston Joynes Godwin's 100th Birthday
8. Announcements
 - December 14, 2011 – Town Council Executive Session @ 6PM
 - December 16, 2011 – Cape Charles Employee Christmas Luncheon @ 12P
 - December 23 & 26, 2011 – Town Council Closed for Christmas Holiday
 - January 1, 2012 – Town Offices Closed for New Year's Holiday
 - January 12, 2012 – Town Council Regular Meeting @ 6PM
9. Adjourn at 8:00 P.M.



DRAFT
TOWN COUNCIL
Public Hearing
Town Hall
November 10, 2011
6:00 p.m.

At 6:00 p.m. Mayor Dora Sullivan, having established a quorum, called to order the Public Hearing of the Town Council. In addition to Mayor Sullivan, present were Councilmen Evans, Sullivan and Veber and Councilwoman Natali. Vice Mayor Bannon and Councilman Bennett were not in attendance. Also in attendance were Town Manager Heather Arcos, Code Official Jeb Brady and Town Clerk Libby Hume. There were also 5 members of the public in attendance.

Mayor Sullivan stated that this evening's Public Hearing was being held to hear public comment regarding the proposed modifications to the Cape Charles Town Code Chapter 46 - Nuisance Ordinance and Chapter 58 - Solid Waste Ordinance.

PUBLIC COMMENTS:

There were no public comments to be heard and no written comments were submitted prior to the hearing.

Motion made by Councilwoman Natali, seconded by Councilman Sullivan, to close the Town Council Public Hearing. The motion was approved by unanimous consent.

Mayor Sullivan

Town Clerk



DRAFT
TOWN COUNCIL
Regular Meeting
St. Charles Parish Hall
November 10, 2011

Immediately Following Public Hearing

At 6:05 p.m. Mayor Dora Sullivan, having established a quorum, called to order the Regular Meeting of the Town Council. In addition to Mayor Sullivan, present were Councilmen Evans, Sullivan and Veber and Councilwoman Natali. Vice Mayor Bannon and Councilman Bennett were not in attendance. Also in attendance were Town Manager Heather Arcos, Assistant Town Manager Bob Panek, Code Official Jeb Brady, Town Planner Tom Bonadeo, Harbor Master Smitty Dize and Town Clerk Libby Hume. There were also 5 members of the public in attendance.

A Councilwoman Natali gave the invocation and led the recitation of the Pledge of Allegiance.

PUBLIC COMMENTS:

Reverend Jim Davis

Reverend Davis complimented and thanked the Mayor, Town Council, Town Manager and staff for their cooperation and support of the Rosenwald School Restoration Initiative. The unveiling ceremony was scheduled for Saturday, November 19th, beginning at 11:00 AM at the old Rosenwald School and everyone was welcome to attend.

There were no other public comments to be heard nor any written comments submitted prior to the meeting.

CONSENT AGENDA:

Motion made by Councilwoman Natali, seconded by Councilman Veber, to approve the agenda as presented. The motion was approved by unanimous consent.

The Town Council reviewed the minutes of the October 11, 2011 Executive Session, the October 13, 2011 Public Hearing, the October 13, 2011 Regular Meeting and the October 27, 2011 Special Meeting.

Councilman Evans noted a typographical error on page 1 of the October 13, 2011 Public Hearing minutes.

Councilman Evans and Councilwoman Natali noted typographical errors on pages 1 and 2 of the October 13, 2011 Regular Meeting minutes.

Councilman Evans stated that he was not in attendance for the October 27th, 2011 Special Meeting and would therefore abstain from the vote.

Motion made by Councilman Sullivan, seconded by Councilman Veber, to approve the minutes of the October 11, 2011 Executive Session and the October 27, 2011 Special Meeting as presented and the October 13, 2011 Public Hearing and the October 13, 2011 Regular Meeting as corrected. The motion was approved by unanimous consent.

REPORT PRESENTATIONS:

A. Town Manager's Report:

Town Manager Heather Arcos reported the following: i) This past Sunday, the Cape Charles Volunteer Fire Company (CCVFC) held a Fire & Safety Day and recruited for members of their new Auxiliary Group. The CCVFC needed to organize an Auxiliary to help with fundraising and working events. Unfortunately, it was a small turnout. Mayor Sullivan had offered to be the

interim Chair of the Auxiliary and a Special Edition Gazette would be sent next week asking for volunteers; and ii) The OpSail Committee meeting went well and the organizers were working on a brochure and website. Three ships were planned for the June 8th weekend and staff was working on the logistics. The next committee meeting was scheduled for November 29th at 8:30 AM at Aqua and anyone interested in helping with OpSail was invited. The Towns of Eastville and Exmore were also on board.

B. Treasurer's Report:

The Treasurer's report dated October 31, 2011 showed \$222,309 in the Bank of America checking account and \$1,143,364 in the Local Government Investment Pool ("LGIP") with a Total Cash on Hand of \$1,365,673. Treasurer Jo Anna Leatherwood went on to report the following: i) The real estate tax bills had been mailed and so far receipts were not a reflection of the early mailing; and ii) The personal property tax bills were mailed last week and lots of calls were being received notifying the Town of vehicles that were sold several years ago and citizens who had moved out of Town. Jo Anna Leatherwood also reviewed the Miscellaneous Tax Collection Comparison which showed the breakdowns of the various types of taxes comparing tax revenue from FY2009/2010 with the current fiscal year. The FY2012 Capital Improvement Project Five-Year Projection was also reviewed.

Motion made by Councilwoman Natali, seconded by Councilman Sullivan, to approve the Treasurer's Report as presented. The motion was approved by unanimous consent.

C. Recreation Report:

Community Events/Recreational Coordinator Jen Lewis invited everyone to attend Heritage Acres next Tuesday, November 15th, at 1:00 PM when the Town was serving a holiday dessert to all the residents of Heritage Acres. The residents were so excited that they scheduled a luncheon prior to the Holiday Sweets. The desserts were sponsored by the Epiphany Fund.

D. Library Report:

Librarian Ann Rutledge was not in attendance but Jen Lewis reported the following on her behalf: i) It was business as usual at the Library; and ii) Ms. Beth Ann Sabo brought a furry friend for Storytime. All the kids enjoyed the furry visitor and the Library was trying to bring in more guests for Storytime over the winter months.

E. Harbor Report:

Harbor Master Smitty Dize reported the following: i) He was working with the Cape Charles Christian School on a science project where the children were raising about 2K oysters at the Harbor; ii) A large gray Navy transporter was deferred to Cape Charles by Captain Steve Bailey who was one of the captains of the Buy Boats which were in the Harbor in August; and iii) The US Army Corps of Engineers was doing some work around the Harbor marking slips and the breakwaters.

F. Public Works / Public Utilities Report:

Public Works / Public Utilities Director Dave Fauber reported the following: i) The Public Works Maintenance Building was framed and the sheeting was being put up next week by a separate crew; and ii) The parking space stripes were scheduled to be painted along Mason Avenue tomorrow, weather permitting.

G. Code Enforcement:

Code Enforcement Officer Jeb Brady reported the following: i) The Town was moving forward with the repairs to the fountain at Central Park which was not installed properly. The repairs should not take long; ii) Jeb distributed information regarding lead-based paint to the Council. This information was also distributed to all properties in the historical part of Cape Charles since lead-based paint issues only affected buildings constructed prior to 1978. This information was also available on the Town's website and was included in the November issue of the Gazette. Currently, there was only one contractor with the proper certifications in the

23310 zip code area. There is another certified contractor in the Exmore area. Certification was acquired by attending an 8-hour training class.

Mayor Sullivan asked if any complaints have been received regarding the flag poles at Central Park. Jeb Brady stated that he had received some negative comments. Heather Arcos stated that the American and State flags had been purchased but staff was still working with the vendor regarding the Town flag. Tom Bonadeo added that a POW/MIA flag was being raised for the Veterans' Day holiday. Councilwoman Natali suggested that a photograph be taken of the flags once they have been raised to send to Bayshore Concrete to thank them for the donation of the flag poles. Heather Arcos stated that plans were already underway and a photograph would also be sent to the Citizens for Central Park who donated \$1,500 toward the installation of the flag poles.

Councilman Veber asked about the status of the two houses approved by Council for legal enforcement of the Code. Jeb Brady stated that an agreement was close to being worked out with the owner of the property on Randolph Avenue, but no word had been received from the owner of the other house.

H. *Planning Report:*

Town Planner Tom Bonadeo reported the following: i) The Design-Build project for the Harbor Bath House was on this evening's agenda. The proposals were received and were opened and staff had a recommendation to review with Council; and ii) The Virginia Department of Emergency Management (VDEM) approved the draft of the Hazard Mitigation Plan and the Town's response was sent to the VDEM earlier today.

OLD BUSINESS:

A. *Wastewater Treatment Plant Status:*

Bob Panek stated the November construction progress meeting was held this week and the contractor was now 147 days behind schedule and was 97% into the length of the contract. The test of the membrane filtration system was completed and the system passed. The clean-up to complete the clean water testing would begin tomorrow and was approximately a two-week process. If all goes well, sewage would be introduced into the new wastewater treatment plant on November 28th. The pump station repairs would be completed within two weeks. The Bay Creek flow would continue to be pumped to the old plant for another month before being routed to the new plant. Afterwards, the Town would bid the contract for the dismantlement of the old wastewater treatment plant. The ninth project evaluation by the Department of Environmental Quality (DEQ) had been completed and the DEQ was very complimentary of the project.

Councilwoman Natali asked about Bay Creek being connected later. Bob Panek stated that the Fig Street Pump Station could not be connected directly to the new wastewater treatment plant until the pump station repairs were completed. Marina Village and the Historic District attributed to approximately 75% of the volume. The Bay Creek Golf Community should be able to be brought online in about another month.

B. *Public Service Authority & Regional Wastewater System:*

Bob Panek stated that slow progress was being made with both the Northern and Southern Nodes. The consulting engineering firm had recently completed an analysis which indicated that the grant/loan ratio would be more favorable for the Southern Node if the initial service area was confined to Cheriton. The PSA Chairman would meet with the Cheriton Town Council this month and the PSA would provide a recommendation to the Board of Supervisors. Interest had been received from businesses along Route 13 as well. The Preliminary Engineering Report for the first phase of the Northern Node had been completed and the PSA's FY2012 financial assistance application had been preliminarily approved by the Department of Environmental Quality (DEQ) for loan financing. The State Water Control Board would consider final approval

at their December meeting. The PSA would also have to apply for a significant amount of grant funding for both projects to yield affordable rates.

Councilwoman Natali asked when the three vacancies would be filled. Bob Panek stated that he knew of at least two applications and a possible third which were submitted to the Board of Supervisors but no action had been taken. The PSA had written to the Board of Supervisors requesting the vacancies be filled because it was more difficult to get any business done but no response had been received.

C. *Central Park Restrooms:*

Bob Panek stated that Council approved a plan for the Town to partner with the Citizens for Central Park (CCP) to build permanent restrooms in Central Park. The initial rough estimate for the project was \$60K and would be funded 75% or \$45K through the Eastern Shore of Virginia Community Foundation (ESVCF) grant, and 25% or \$15K through a Town match to be budgeted for in fiscal year 2012/2013. The CCP would apply for and manage the grant and had agreed to cover any cost above \$60K. The CCP had submitted the preliminary grant proposal to the ESVCF and if the project passed preliminary review, the full grant proposal would go to the ESVCF board for consideration in January 2012. This would require a Resolution expressing Council's support of the project and commitment to the Town share of the funding subject to FY 2012/2013 budget approval.

Councilwoman Natali disclosed that she was on the board of the Citizens for Central Park. There was some discussion that since Councilwoman Natali would get no benefit from this action she would not have to recuse herself. Mayor Sullivan stated that if the action could be done without Councilwoman Natali's vote, she would prefer to have Councilwoman Natali abstain from the vote.

Mayor Sullivan moved for adoption of Resolution #2011110 – Supporting the Application for a Grant from the Eastern Shore of Virginia Community Foundation. The motion was unanimously approved. Roll call vote: Evans, yes; Natali, abstain; Sullivan, yes; Veber, yes.

D. *Town Code Modifications – Nuisance and Solid Waste Ordinances:*

Jeb Brady stated that Council held a work session on September 13th to review the proposed modifications to the Nuisance and Solid Waste Ordinances which were intended to clarify the ordinance to address debris. A public hearing was held earlier this evening and no comments were heard.

Councilman Evans asked whether these ordinances would include clothes, machine parts, etc. Jeb Brady stated that he tried to include as much as possible but these issues could fall under the State Fire Code which was more enforceable through the Commonwealth's Attorney.

Mayor Sullivan moved for adoption of Ordinance #2011110 – To Modify Cape Charles Town Code Chapters 46 – Nuisance Ordinance and 58 – Solid Waste Ordinance. The motion was unanimously approved. Roll call vote: Evans, yes; Natali, yes; Sullivan, yes; Veber, yes.

E. *July 4th Celebration 2012:*

Heather Arcos stated that there was much debate at the October 13th Council meeting regarding the date to hold the 2012 fireworks display since July 4th fell on a Wednesday but no decision was made. The Town had budgeted \$7K for the cost of fireworks in the FY 2011/2012 budget. The cost of holding the fireworks display on July 4th was \$15K vs. \$7K if held on July 1st. Staff began working on a Fireworks Sponsorship Program as part of the 4th of July Committee to secure additional funding to offset the cost of the fireworks. The Town had received a commitment from the Cape Charles Business Association to raise \$1K, if not more, towards the cost of the fireworks display and they support holding the display on July 4th. A request had also been sent to Willie Randall, Chairman of the County Board of Supervisors. The fireworks needed to be ordered by November 14th to ensure the price and availability and a decision was needed to be made this evening.

Councilman Veber stated that he and Mayor Sullivan met with Supervisor Sam Long who stated that he would do everything in his power to get \$5K from the County Board of Supervisors toward the cost of the 2012 fireworks display. Heather Arcos stated that the County had already committed funding for OpSail and the Tall Ships Initiative for 2012. Councilman Veber added that for years, the people of the County have enjoyed themselves and benefited from the activities held in the Town at no cost. Councilman Evans suggested that it might be beneficial for several of the Council to attend the next Board of Supervisors Meeting and speak during their Public Comments. Councilmen Evans and Veber stated that they would attend the next Board of Supervisors meeting to represent Cape Charles.

Councilwoman Natali asked when the Town had to pay for the fireworks. Heather Arcos stated that 50% had to be paid 60 days prior to the date of the display and the remainder had to be paid two to three weeks prior to July 4th.

Motion made by Councilman Veber, seconded by Councilman Evans, to hold the 2012 4th of July Celebration and fireworks display on July 4th, 2012. The motion was unanimously approved.

F. *Public Works Maintenance Building:*

Heather Arcos explained that on June 1, 2011, the Town advertised for bids for a steel building for the Public Works Department and three bids were received. On June 23, 2011, Council awarded the contract to Arco Building Systems, Inc. for the purchase of the steel building and to Jacob Brothers Contracting, Inc. to erect the building. The concrete slab had been poured and the steel building was ready to be erected. Unfortunately, Jacob Brothers Contracting, Inc. backed out of the project at the last minute. Arco Building Systems, the manufacturer of the building, recommended McDade Construction from Portsmouth to erect the building and they were currently working on the building. The cost for the work did not change since it was included in the initial contract with Arco Building Systems, Inc. With the change in subcontractors, a new erection agreement had been executed with McDade Construction for \$9,282 and a new motion was needed naming McDade Construction as the subcontractor to erect the steel Public Works Maintenance Building.

Motion made by Councilwoman Natali, seconded by Councilman Sullivan, naming McDade Construction as the subcontractor to erect the steel Public Works Maintenance Building. The motion was approved by unanimous consent.

NEW BUSINESS:

A. *Reappointment of Wetlands & Coastal Dunes Board Member:*

Tom Bonadeo stated that the Wetlands & Coastal Dunes Board reviewed applications for certain activities in the wetlands and dune areas meeting as needed and was comprised of five members serving five-year terms. There was one member of the Board, Ms. Ann Hayward Walker who was also the Chairperson, whose term would expire on November 12, 2011 and she had expressed her interest in continuing her service on this Board.

Motion made by Councilman Sullivan, seconded by Councilwoman Natali, to re-appoint Ms. Ann Hayward Walker to the Wetlands & Coastal Dunes Board for another term. The motion was approved by unanimous consent.

Councilwoman Natali also thanked Ms. Walker for her willingness to continue to serve the Town in this capacity.

B. *Fig Street Lots Lease Agreement:*

Heather Arcos stated that in June 2010, the Town entered into a lease agreement with Bay Creek LLC to lease seven lots on the corner of Fig Street and Randolph Avenue where the Cape Charles sign was located. The initial lease term was from June 11, 2010 through December 31, 2010 and renewed for one year and was due to expire on December 31, 2011. The Town

wishes to continue leasing this property and a new lease agreement had been drafted. In order to get the lease term in line with the Town's fiscal year, the initial term of this agreement was from January 1, 2012 through June 30, 2012 and would automatically renew on an annual basis July 1 of each year unless termination was made in writing by either party no less than 60 days prior to the expiration of the lease term. Currently, the Town pays approximately \$2K per year for the real estate taxes on this property in lieu of lease payments. The Town had already paid the 2011 taxes on this property.

Motion made by Councilman Veber, seconded by Councilman Evans, to authorize the Town Manager to execute the Lease Agreement effective January 1, 2012. The motion was approved by unanimous consent.

C. Harbor Bath House Design-Build Contract:

Tom Bonadeo stated that in June 2011, Council adopted Resolution 20110609 authorizing the Design-Build contract process for the Harbor Bath House Project which was a new procurement process for the Town. The resolution established a project cost limit of \$343,977. Staff prequalified five proposers and five proposals were received. All proposals have been evaluated and the team of Boytos & Boytos and Parham Architects was selected as the best value in response to the RFP. Council reviewed the Design-Build Scoring Update which showed the cost breakdowns for each proposal.

Motion made by Councilman Sullivan, seconded by Councilman Veber, to authorize the Town Manager to execute a design-build contract within the total project cost limit of \$343,977 as specified in Resolution 20110609. The motion was approved by unanimous consent.

D. Bagwell Oil Co. Fuel Services Contract Extension:

Smitty Dize stated that the Town awarded a contract, effective December 1, 2010, to Bagwell Oil Co. for all fuel services for the Town. The contract was for one year with the option to renew annually for three additional years. The current contract expires at midnight on November 30, 2011 and the Town would like to exercise the right to renew for another year.

Motion made by Councilman Evans, seconded by Councilwoman Natali, to authorize the Town Manager to execute a one-year contract extension with Bagwell Oil Co. to provide fuel services to the Town. The motion was approved by unanimous consent.

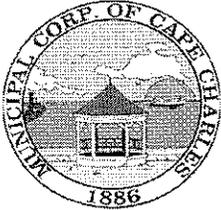
ANNOUNCEMENTS:

- November 11, 2011 – Town Offices Closed in Observance of Veteran's Day. The American Legion will be holding a memorial service at the War Memorial on Mason Avenue at 10AM
- November 19, 2011 – Rosenwald School Historic Marker Unveiling Ceremony @ 11AM
- November 21, 2011 – Town Council Work Session @ 6PM
- November 23, 2011 – Town Offices Close at Noon for Thanksgiving Holiday
- November 24-25, 2011 – Town Offices Closed for Thanksgiving Holiday
- December 2, 2011 – 16th Annual Northampton County Holiday Progressive Dinner Tour
- December 8, 2011 – Town Council Regular Meeting @ 6PM

Motion made by Councilman Veber, seconded by Councilman Sullivan, to adjourn the Town Council Regular Meeting. The motion was approved by unanimous vote.

Mayor Sullivan

Town Clerk



DRAFT TOWN COUNCIL

Work Session

Town Hall

November 21, 2011

6:00 PM

At 6:00 p.m., Mayor Dora Sullivan, having established a quorum, called to order the Work Session of Town Council. In addition to Mayor Sullivan, present were Vice Mayor Bannon, Councilmen Bennett, Evans, Sullivan and Veber. Councilwoman Natali was not in attendance. Also present were Town Manager Heather Arcos, Assistant Town Manager Bob Panek, Harbor Master Smitty Dize and Town Clerk Libby Hume. There were no members of the public in attendance.

Mayor Sullivan announced the business for the evening would be to review the Harbor Development Projects.

Council reviewed the following: i) FY 2010 Bonds of which the Harbor amounted to \$1,356,023 out of a total amount of \$2,577,251; ii) the planned West Dock layout showing the bath houses, restaurant, roadway and parking areas; iii) an overview of project funding, broken down by project, which indicated amounts received from the Virginia Port Authority and Boating Infrastructure Grants as well as the amounts financed by the Town; v) information regarding the Town's debt service and the financial effect of these projects with several scenarios regarding utilization of available funding balances; and vi) the feasibility of building another breakwater and its funding options.

There was much discussion regarding the remaining phases of the breakwaters. Smitty Dize stated that Phases 1 and 2 were the two center breakwaters. Smitty Dize stated that since the completion of the existing breakwaters, he had been observing the effect of the various winds in the Harbor and recommended that Phase 3 be the next section of breakwater to the south which would help with the southwest winds. Smitty Dize added that typically, northwest winds blew the tide out of the bay and posed no hazard to the Harbor. Councilman Veber asked whether the Town had committed to construction of the additional breakwaters. Heather Arcos responded that the Town had obtained engineering reports and included the additional breakwaters as part of future planning but no timeframe had been determined or discussed.

Councilman Bennett asked for a summary of last week's meeting with South Port Investors, Heather Arcos and Bob Panek. Heather Arcos stated that South Port requested the Town to move forward with construction of the northern section of the breakwater and added that she had informed them that the Town Council was meeting this evening to review an overview of the projects at the Harbor and the Town's debt service. Over the past several years, all private development in the Harbor area had ceased. Mr. Eyre Baldwin had asked that if \$500K – \$600K in private and State funds could be obtained, would the Town be able to move forward with the next section of breakwater. Heather Arcos stated that she had informed Mr. Baldwin that if the outside funding was obtained, the Town would move forward. Heather Arcos continued to state that she would schedule a meeting in December to inform all stakeholders of the options for the construction of the next section of breakwater. The Town would inform the stakeholders of its intentions to request additional funding from the Virginia Port Authority as well as requesting additional contributions from private entities. Councilman Evans suggested that letters be sent to the Governor, the Virginia Economic Development Authority and other entities regarding funding assistance.

Smitty Dize informed Council that this past Saturday, a boat docked at the South Port property to perform maintenance and photographs had been taken. Bob Panek added that this action was in violation of the lease with South Port Investors unless South Port Investors was performing the repairs.

Heather Arcos informed Council that South Port Investors had shown a sketch of revised plans for lots 12, 19 and 20 and actual plans were expected in January 2012. Several things were moved so the lease would have to be amended to accommodate these changes. Heather Arcos advised South Port Investors to contact their attorney to draft a lease amendment to submit for Council approval.

Councilman Evans asked whether Landmark Holdings had paid the back taxes to the County. Heather Arcos stated that she heard that Mr. Tavi had spoken with the County but the taxes had not yet been paid. A conference call had been scheduled for tomorrow at 10:00 AM with Mayor Sullivan, Heather Arcos and Mr. Tavi.

Heather Arcos stated that she would keep Council informed of any developments regarding items discussed this evening and staff would work on the 2013 Virginia Port Authority Grant funding request for Council review.

Motion made by Councilman Evans, seconded by Councilman Sullivan, to adjourn the Town Council Work Session. The motion was approved by unanimous consent.

Mayor Sullivan

Town Clerk

Town Manager Report
Highlights
November 11, 2011 – December 2, 2011

Harbor Development Update

- Bath House Project:
 - The Town is awaiting finalization of the contract with Boytos & Boytos along with the updated cost estimates regarding the revisions made to the building plans.
- Restaurant:
 - The Town is working with Jon Dempster to submit his plans/renderings for review by the Harbor Area Review Board.
 - The Town will be executing a lease with Hungry Crab upon completion of requested documentation.

Cape Charles Tall Ship Initiative /Conj. OPSAIL 2012

- The ESVA Festivals and event organizing committee have met several times to discuss various activities, parking, etc.
- The committee met on the 29th of November; working on contracts for the SULTANTA and LYNX to be in Port between around June 6th – 11th of 2012; applied for a grant through FEST EVENTS for the appearance fees. Sponsorship letters will be mailed to organizations over the next two weeks. Website tallshipscapecharles.com is up and running. Events are being planned around the scheduling of the ships.
- Town Staff – actively involved Chief of Police/TM are in charge of logistics/operations, Jen Lewis working on children's activities, and Smitty Dize all Harbor activities.
- A draft schedule of events will be out in January 2012.

Public Works Maintenance Building

- The Public Works building is underway with a completion date of December 15th.

Central Park

- The fountain has been repaired and the replacement trees are installed.
- The BMP testing in the park is being done this week.
- VDOT is reviewing a change order to begin the engineering/surveying and planning for the next phase of trail construction on North Peach Street. The Town Council will approve the final change order and review the next phase of the trail connection.

Future Plans for the Library

- Staff continues to research locations and options; such as the old Meatland to plan the future Library Expansion.
- The Library expansion project will be reviewed by Council during their FY 2012/2013 budget preparations.

Cape Charles High School

- The exterior brick façade along the back wall has fallen and the remaining brick façade around the building is in need of manor repair. The area around the building will be blocked off around the perimeter for safety reasons. A cost estimate is being obtained for the repairs.
- An unsolicited proposal for the school building has been received and is being reviewed by Council at their 12/14 Executive Session.

Broadband Project/Computer Lab

- This project is coming to a close and the Town is expecting that the fiber will be connected by the end of 2011.
- The Library staff is conducting a survey of patrons to see what types of computer and internet classes they would like and volunteers are needed to teach classes. Please contact Ann Rutledge if interested.
- An operations plan is in the works to plan for classes/training as the computer lab is hooked up on our broadband network.

Technology Zone

- The draft ordinance has been reviewed by legal counsel and a Town Council Work Session will be scheduled to discuss the recommendations of legal counsel.

Bank of America:

- The Town has received notification that the Cape Charles Branch of Bank of America will be closing on 3/16/12. There has been a bank at that location for as long as most of us can remember. It was unfortunately to hear of their closing and Heather and the Mayor are committed to solicit potential local financial institutions. More information will be provided as available.

Cape Charles Business Association:

- The Cape Charles Business Association held a public forum on 11/17. The new Board members are local business owners and residents who believe that by working together with the local governments and organizations, like the Chamber of Commerce and Tourism Commission, the citizens and business owners of Cape Charles can enhance their quality of life and improve the economy by attracting more residents, businesses and visitors to our Town. Their website is www.capecharles.biz.

Topics for Upcoming Work Sessions:

- Town Code Modifications:
 - Tourism Zone
 - Animal Ordinance
 - Sanitation Ordinance
- Budget Work Sessions will begin January 2012
- Personnel Policy Review by Section

Recreation Department December Council Report

1. Committee Updates:

- The Birding and Wildlife Festival has submitted a grant to the Virginia Tourism Commission. The committee has tied up all loose ends from the 19th annual festival and is moving forward on planning for the 20th annual festival. The next meeting will take place December 13 at 12:30 pm.
- The New Roots Youth Garden will be holding the final harvest on December 8, 2011. The youth will harvest crops they can take home and share with their families.
 - The Pie Sales for the New Roots Youth Garden went well. 190 pecan and sweet potato pies were baked by the New Roots Youth Committee.
 - The shed should be painted by December 2 and the plan is to have lights up to greet people as they come to Town for the Progressive Dinner Tour.
- The Cape Charles Fire Department Auxiliary Committee will be chaired by Dora Sullivan and Jen Lewis. Membership is slow but we will continue to recruit.

2. Holiday Events:

- Mike Sullivan and Heather Arcos joined Jen at Heritage Acres to provide a Holiday Dessert for the residents. The residents enjoyed the event and were singing when we all left. The Town will sponsor a Mega Bingo on December 6, 2011 from 1 p.m. to 5 p.m.

3. Upcoming Events:

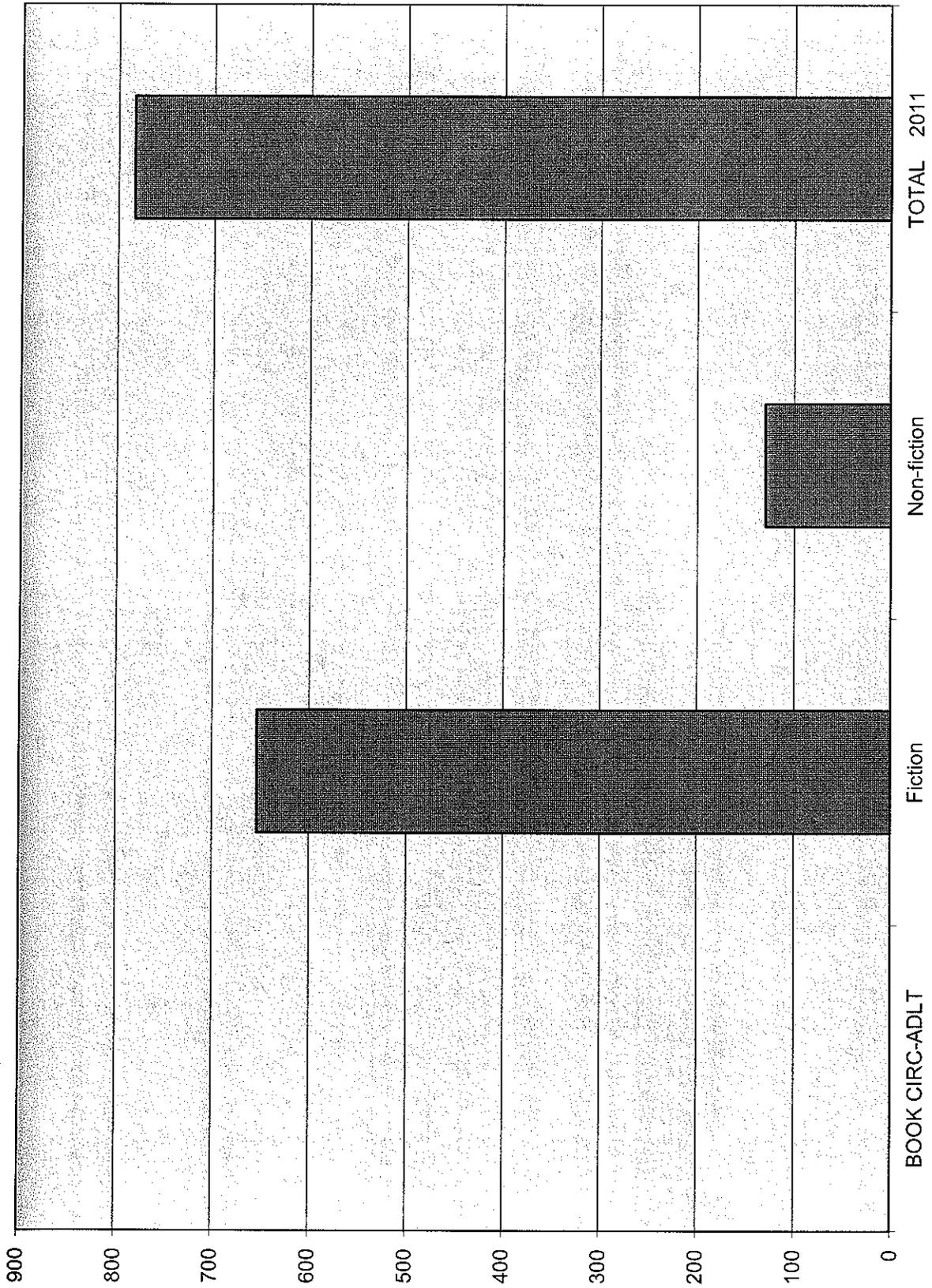
- December 1, 2011 Fourth of July Committee Meeting
- December 2, 2011 Progressive Dinner
- December 3, 2011 Grand Illumination
- December 3, 2011 Santa Train arrives in Cape Charles at 9:00 a.m.
- December 6, 2011 Mega Bingo at Heritage Acres
- December 8, 2011 Activities Committee Meeting
- December 9-11, 2011 Santa's Workshop at Cape Charles Christian School
- December 10, 2011 Tool Mania
- December 11, 2011 Cookie Trail
- December 19-22, 2011 Christmas Activities at the Library

Cape Charles Memorial Library
November 2011
Monthly Report Presented by Ann Rutledge

1. **Toddler/Preschool Storytime** was held on Thursday at 10:30 and a total of 46 children and caregivers attended this month. A total of 43 people attended the **Arts and Crafts** programs held on Wednesday at 4:00 and presented by Jen Lewis.
2. On November 3, Beth Ann Sabo brought her dog, Didi, to the library during the Storytime Program. Didi performed some tricks for the kids and received many hugs. The storytime theme was dogs.
3. The **Eastern Shore Public Library Board** met with the Cape Charles Library Board and Friends of the Library on Monday, November 7 at 1:00 p.m. at St. Charles Parish Hall.
4. The displays for the month of November featured books for children on Thanksgiving and a display for adults on diabetes to celebrate **National Diabetes Awareness Month**.
5. This month we shifted the adult nonfiction section to make room for three shelves of Easy picture books. The Easy picture book shelf is totally full and the remainder of the Children's section is approaching capacity.
6. For additional information about Library programs and library related information check out the Cape Charles Memorial Library's **Facebook** page!

Cape Charles Memorial Library

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV.	DEC	YTD
	2011												
INCOME:													
Donations	\$2.00	\$5.00	\$3.00	\$2.00	\$5.00	\$6.00	\$5.00	Lib.Fund	Lib.Fund	Lib. Fund	Lib. Fund		\$28.00
Copier/Prt	\$60.90	\$23.90	\$55.00	\$107.50	\$74.00	\$96.00	\$104.50	\$116.30	\$95.00	\$50.80	\$42.95		\$826.85
TOTAL	\$62.90	\$28.90	\$58.00	\$109.50	\$79.00	\$102.00	\$109.50	\$116.30	\$95.00	\$50.80	\$42.95		\$854.85
Deposit	\$62.90	\$28.90	\$58.00	\$109.50	\$79.00	\$102.00	\$109.50	\$116.30	\$95.00	\$50.80	\$42.95		\$854.85
BOOK CIRC-ADLT													
Fiction	653	556	695	719	659	714	657	643	717	598	441		7,052
Non-fiction	130	130	151	148	138	153	176	175	197	171	121		1,690
TOTAL 2011	783	686	846	867	787	867	833	818	914	769	562		8,732
Books Circ. 2010	685	708	633	658	610	857	962	959	825	774	722		8,393
BOOKS CIRC-JUV													
Fiction	487	356	465	600	414	578	637	616	394	348	307		5,202
Non-Fiction	150	149	136	154	133	102	121	71	114	106	111		1,347
TOTAL 2011	637	505	601	754	547	680	758	687	508	454	418		6,549
Books Circ. 2010	463	452	531	579	486	776	808	831	631	611	685		6,853
TOTAL BOOK 2011	1420	1191	1,447	1,621	1,334	1,547	1,591	1,505	1,422	1,223	980		15,281
TOTAL BOOK 2010	1148	1,160	1,237	1,237	1,096	1,633	1,770	1,790	1,456	1,385	1,407		15,319
Attendance 2011	1,072	1048	1236	1,334	1,045	1,438	1,473	1,355	1,042	1,448	793		13,284
Attendance 2010	742	732	995	1,060	1535	1,392	1,833	1,805	1,324	1,252	1,151		13,821
Programs 2011	7	7	5	5	5	16	14	9	9	10	9		96
Programs 2010	4	7	7	5	4	9	16	12	8	6	7		85
Prog. Attend 2011	274	90	50	51	88	327	399	144	106	249	114		1,892
Prog. Attend 2010	8	60	41	22	29	155	155	244	123	267	110		1,214
Internet use 2011	471	401	483	612	572	842	771	683	485	482	339		6,141
Internet use 2010	428	385	375	713	941	746	746	853	632	572	478		6,869
Library Cards 2011	4	12	6	19	10	11	30	11	17	11	23		154
Library Cards 2010	8	8	15	15	17	45	30	36	17	13	14		218



Harbor Report

November, 2011.

Maintenance

1. Finished winterizing harbor office.
2. Continued re-screwing rubber pile bumpers (Inner Harbor)
3. Winterized Pump out Station.
4. Changed all fuel filters
5. Began winterizing the rest of the harbor (all water will be shut off December 31) unless it gets colder earlier.

Upcoming, Scheduled Maintenance

1. Replace water valves on CG Dock (will do when water is shut off)
2. Replace the lost signage on the breakwaters, (Three are Missing)

Capital Projects:

1. Capital projects are moving along, we received the plans for the infiltration trench and are reviewing. Also we should soon have everything in place to sign a contract with Boytos & Boytos for the construction of the Bath House. Walkways will be constructed after the infiltration trench is completed.

Other:

1. Harbor Hours beginning December 30th. – (8am to 4:30pm) Mon. – Fri. closed Sat. & Sun.
2. Follow us on Face Book (**Cape Charles Town Harbor**) Over 300 fans
3. Meeting with the Tall Ships Steering committee, the event is progressing nicely.

Incidents:

1 – An electrical pedestal on one of the new docks caught on fire. No vessels where in the vicinity and appears that the only damage was done was to the pedestal and a few boards. The manufacturer has been out to investigate and will be submitting a report to me, the engineers, and the contractor.

Notes:

5th Annual Blessing of the Fleet, Begins on April 13th, 2012 @ 5:30 pm.

Tall Ships Cape Charles - Visit Tall Ships at the harbor in June – More details to come.

Inaugural Cape Charles Clam Slam – The first weekend of August – More Details to Come.

Harbor Report November, 2011.

Business:

Average docking per day/night by category:

<u>Rentals</u>	<u>November</u>	<u>October</u>	<u>11/12</u>	<u>10/11</u>
1. Nightly:	2.2	3.4	3.8	1.6
2. Weekly:	5.2	2.5	5.3	7.0
3. Monthly:	0.0	1.0	0.7	8.0
4. Quarterly:	0.0	0.0	0.9	0.1
5. Seasonal:	11.0	12.0	12.2	7.1
6. Annual:	41.9	48.0	45.6	32.8
7. Total Rentals,	60.3	66.9	68.5	57.8

Wharf Fees by Pounds:

	<u>November</u>	<u>October</u>	<u>11/12</u>	<u>10/11</u>
1. Crabs:	57,690	0	302,310	1,419,795
2. Fish:	16,664	6,500	216,102	534,616
3. Conchs:	26,390	400	26,910	90,317.5
4. Horse Shoes:	0	0	5,296	7,960
5. Gravel:	0	0	0	1,000,000
6. Clams	0	0	0	18,000
7. Oysters	0	0	0	12,000
8. Conch Pots	0	0	0	14,000
9. Crab Pots	0	0	0	121,920
10. Lg. Trap Piles	0	0	0	0
11. Sm. Trap Piles	0	0	0	21,280
12. Total Pounds:	100,744	6,900	550,618	3,239,888.5

<u>Waiting List:</u>	<u>10/31</u>	<u>Registered</u>	<u>Removed</u>	<u>11/30</u>
1. 60ft Slips:	2	0	0	2
2. 50ft Slips:	2	0	0	2
3. 45ft Slips:	8	0	0	8
4. 36ft Slips:	6	0	0	6
5. 30ft Slips:	19	0	0	19
6. 24ft Slips:	20	0	0	20
7. 20ft Slips:	10	0	0	10
Total	67	0	0	67

William Smith Dize Jr.
Harbor Master
December 1, 2011

PUBLIC WORKS

November 2011

Dump Fees

- **Oyster Landfill:** 14 trips, \$444.78, 7 Tons
- **Sludge-** None
- **Work Orders Completed:** 18
- **Work Orders Open:** 1

Staff Report

Completed Projects

- Switched out banners on Mason Avenue with seasonal.
- Installed Christmas lights on Mason Ave, Bay Ave and Park.
- Repaired outlets along Mason Ave. Several cannot be repaired at this time, it seems like a wire has separated underground somewhere. We will take this up at a later date, budget moneys permitting.

In Progress

- The new Public Works Maintenance Building is being erected.
- Painting Beach Gazebo.

Upcoming Projects

- Mulching in Central Park

Special Events

- Progressive Dinner Tour

PUBLIC UTILITIES

November 2011

Work Orders Completed

- Miss Utility Tickets: 18

Staff Report

- Training at New WWTP is under way.

Completed Projects

- Updated electrical wiring to chemical feed pumps at water plant.
- Conducted our annual review of the Environmental Laboratory Quality Assurance Manual for the Virginia Division of Consolidated Lab Services.
- We were compliant for our TTHM Primary Maximum Contaminant Levels at our testing location this month, but our running annual average is still above compliance numbers. Acceptable level is 80 parts per million, we're at 81.25.

New WWTP

- Clean water testing has begun.
- Further info will be provided separately.

Mason Ave Force Main

- Pump station repairs completed.
- By-pass pumping is complete. Wet well repairs are complete and we are pumping from the Mason Avenue pump station again.

In Progress

- Awaiting response from DEQ for our Ground Water withdrawal permit. (Month 45)
- Collecting flow data looking for sources of inflow and infiltration in the Plum Street Pump Station Basin sewer mains. Current flow meter location is the corner of Monroe and Pine.
- Replacing 50 Water Meters in Town.
- Replacing tubing with PVC pipe to chemical feed pumps in the water plant.
- Engineering for connection to Keck Well. Task order has been signed with GHD to prepare a Preliminary Engineering Report (PER). Working on easements and right of way issues to bring line across RR, Bay Creek and VDOT properties.
- Reviewing Closed Circuit TV footage of sewer lines from 2006. This is part of our effort in reducing inflow and infiltration of storm water into the system.

Upcoming Projects

- Draw down and yield testing on Keck Wells for DEQ.
- PER for connection to Keck Wells.
- Closed circuit TV inspection of sewer lines.

Code Enforcement
Month of November FY 2012

Building Permits Issued/Permit Fees Collected:

Permits this month: 16	
Permits this year: 329	Total permits last year: 200
Total construction this month: \$87,620	
Total construction this year: \$7,716,505	Total construction last fiscal year: \$3,967,519
Permit fees this month: \$1,335.84	
Total permit fees this fiscal year: \$122,263.78	Total permit fees last fiscal year: \$63,902.48
Bay Creek Water/Sewer Tap fees: \$0	
The Colony/Sewer Water Tap fees: \$0	
Marina Village/Marina Village East Sewer/Water Tap fees: \$0	
Bayside Village Sewer/Water Tap fees: \$0	
Old-Town Water/Sewer Tap fees: \$0	
Total Tap fees this year: \$52,350	Total Tap fees last fiscal year: \$20,000
Fire Dept. levy this month: \$119.28	
Total Fire Dept. levies this year: \$5,725.75	Total Fire Dept. levies last fiscal year: \$3,282.54
State levy this month: \$23.86	
Total state levies this year: \$1,146.15	Total state levies last fiscal year: \$664.67
Miscellaneous Revenue: \$50.00 for Temporary C.O.	

Existing Structures Code Enforcement Cases:

Total Cases: 26	
New this month: 0	
Closed this month: 0	
Rental Inspections: 0	
Rental C.O.'s Issued: 0	
Rental Inspection fees collected: \$0	
Grass cutting enforcement: 0	
Grass cutting: 6	
Enforcement fees charged this month: \$1,100	
Enforcement fees charged this year: \$10,659.56	Fees charged last fiscal year: \$7,351.98
Enforcement fees collected: \$0	
Enforcement fees collected this year: \$2,164.12	Fees collected last fiscal year: \$2,768.58

Annual Fire Inspections (updated) (Completed)

Total Cases: 92
Inspections conducted: 0
Closed this month: 0
Closed altogether: 92
Cases unresolved: 0

Annual Fire Reports (updated) (Completed)

Total Cases: 59
Received this month: 0
Closed: 59
Unresolved: 0

Month of November FY12

Central Park Trail (T-21 Grant) (updated)

Hours spent working on project this month: 12

Key Notes:

- Fountain pooled has been cleaned and caulked properly
- Warranty tree replacements occurred on November 30. A total of 7 trees were replaced.
- Working with contractor on a possible drainage solution for BMP areas

Other items of note:

1. Completed 29 inspections
2. Conducted 2 zoning clearances
3. Completed 1 courtesy residential inspections
4. Conducted 4 courtesy commercial inspection
5. Conducted 28 E & S control inspections
6. Conducted 0 commercial plan reviews for Erosion and Sedimentation Control.
7. Completed 0 residential plan reviews
8. Issued 0 Public Utilities Shallow Well permits
9. Made site inspections throughout the month on the New Waste Water Treatment Plant Project.
10. Working on Harbor Bath house project.
11. Reviewed preliminary site plan for Bath house project.
12. Sent two **final** notices of violations out on structures that are in uninhabitable condition. These owners have 15 days to comply or legal action will be sought. **Paperwork will be handed over to attorney for prosecution by the end of the week.**
13. Jeb Brady attended the Virginia Fire Prevention Associations Fall Conference in Roanoke Virginia. He earned 24 continuing education hours towards maintaining state certifications.

Permit/Construction Fee Report Nov-11

Address	Type	Permit #	Date	Work Description	Permit Fee	Value
102 Churchill Downs	Gas	PG110012	11/15/2011	Installing new gas rinanni water heater	\$56.00	\$2,000
309 Harbor Avenue	Building	PB110090	11/22/2011	Garage repair from termite and moisture damage	\$73.36	\$5,600
104 Madison Avenue	Building	PB110084	11/7/2011	Tear off/reroof	\$80.59	\$6,890
218 Madison Avenue	Building	PB110083	11/4/2011	Tear off/reroof	\$63.01	\$3,750
207 Mason Avenue	Building	PB110093	11/30/2011	Interior Demolition	\$89.60	\$3,000
433 Mason Avenue	Building	PB110091	11/22/2011	Handicapped ramp off rear of structure	\$56.00	\$2,500
645 Mason Avenue	Building	PB110089	11/21/2011	Alteration to finish as s/f residence	\$70.00	\$5,000
645 Mason Avenue	Plumbing	PP110032	11/21/2011	Plumbing alteration to finish as s/f residence	\$57.68	\$2,800
645 Mason Avenue	Electrical	PE110056	11/28/2011	Electrical alteration to finish as s/f residence	\$56.00	\$1,000
237 Monroe Avenue	Electrical	PE110057	11/29/2011	Upgrading to 200 amp service	\$56.00	\$1,600
635 Monroe Avenue	Building	PB110085	11/10/2011	Tear off/reroof	\$162.40	\$14,000
127 Peach Street	Building	PB110088	11/21/2011	Tear off/reroof	\$67.20	\$4,500
9 Randolph Avenue	Building	PB110092	11/28/2011	New screened deck	\$252.00	\$30,000
405 Randolph Avenue	Building	PB110087	11/15/2011	Repairing rear roof	\$56.00	\$980
713 Randolph Avenue	Building	PB110086	11/15/2011	Commercial interior alteration	\$84.00	\$1,500
541 Tazewell Avenue	Gas	PG110011	11/4/2011	New gas lines and installation rinanni h.w. heater	\$56.00	\$2,500

Totals \$1,335.84 \$87,620

Totals

MONTHLY INSPECTION TOTALS

Jeb Brady

Sheathing	11/01/2011
Insulation	11/02/2011
Slab	11/02/2011
Footing	11/02/2011
Footing(Partial L	11/03/2011
Final	11/06/2011

Total 6

David Fauber

Sheathing	11/07/2011
Sheathing	11/07/2011

Total 2

Jeb Brady

Sheathing	11/08/2011
Footing	11/10/2011
Footing	11/14/2011
Final	11/16/2011
Framing	11/17/2011
Footing	11/21/2011
COURTESY	11/22/2011
Final	11/22/2011
Final	11/23/2011
Footing	11/28/2011
COURTESY	11/29/2011
Footing (Porch Pi	11/30/2011
Sheathing	11/30/2011
CUT-IN	11/30/2011

Total 21

Grand Total 29

InsDateCompleted Range from
11/01/2011 to 11/30/2011

Revenue Totals by Category/Items

From: 11/01/2011 to: 11/30/2011

Miscellaneous		
Fire Dept Fee	16	\$119.28
Miscellaneous totals	16	\$119.28
State Tax		
STATE TAX.	16	\$23.86
State Tax totals	16	\$23.86
Valuation		
Com \$0 - \$2.5K	1	\$75.00
com \$2.5 -10k	1	\$80.00
Valuation Res \$0-\$2.5K	6	\$300.00
Valuation Res \$2.5K - 10K	6	\$367.70
Valuation Res > \$10K	2	\$370.00
Valuation totals	16	\$1,192.70
Grand Totals	48	\$1,335.84

Planning Commission Report for Town Council

From: Tom Bonadeo
To: Town Council
Date: December 8, 2011
Subject: Report for Planning Department

Planning Commission Meeting-December 6

1. The Planning Commission held its regular monthly meeting Tuesday December 6.
2. The Planning Commissioners worked on the Sign Ordinance. Using the International Zoning Code Sign Ordinance as a starting point the Commissioners marked up the second section of the ordinance. Next month another section of the ordinance will be marked up.
3. The Commission also worked on Section 8 of the Zoning Ordinance dealing with the demolition of structures in the Historic District. Staff requires more detailed documentation than the ordinance Section 8.22. The Commission may recommend minor changes to the ordinance so that Council can be assured the only the unsafe buildings are dealt with and that the post demolition plans improve the area.
4. The Commission started a review of the Harbor District Zone specifically related to the Mason Avenue Mixed Use area. The review centered on density for conditional uses in both the Harbor District and Commercial area. This is an area of the zoning ordinance that is not defined by numbers. The commission will continue to refine density numbers and make a recommendation to Council in the future. Density includes the number of dwelling units per acre, the square footage of those units, parking requirements and the open space required.
5. The Planner is working on:
 - a. The Design-Build Project for the Harbor Bathhouse. The technical and cost proposals have been scored and the intent to award has been issued for Boytos & Boytos. The Committee has met and reviewed the plans with the Harbormaster. Additions and deletions have been submitted to the architect and plans have been sent to the builder for final pricing. Staff is working on the contract so that it can be signed by the week of Council meeting.
 - b. Zoning compliance reviews and enforcements.
 - c. Met with FEMA and VDEM on damages from Irene for the second time. We expected to have the "beach specialist" but the VDEM folks will be doing the site work and a meeting is planned for December 1 to review and submit documentation.
6. Broadband is in the final stages and experimental services are being installed in the Town facilities. We do have a proposal to test wireless service here as well. The grant is in the closeout mode and the ANPDC is providing grant management services.
7. There are several remodeling projects underway in Town and some delayed projects are getting back on track. The Northampton Hotel, "Delisheries" building and an empty building in the 300 block of Mason Ave are just a few. The empty house in the 600 block is being remodeled as a residence and will be rented.

8. The new Sinclair Tower is ready to have the foundation installed and the concrete should be poured by this Council meeting. This tower is only 200' while the existing tower is 720 feet tall but not capable of holding the weight of new cell antennas. The cell phone antennas will be moved from the existing tower and both Verizon and ATT plan to upgrade service to 4G networks. This means greatly improved cell service for Cape Charles.

Historic District Review Board Meeting – October 18

The Board did meet this month and reviewed three applications. The first application was the modification the entry doors for the "old police station." This is now rented by the golf cart company.

The second project approved was a rear addition to the Wilson & Lee House B&B on Tazewell and the third project is a screen porch and deck addition onto 409 Tazewell. These two historic homes each have new owners.

 <p>TOWN OF CAPE CHARLES</p>	AGENDA TITLE: Cape Charles Police Department		AGENDA DATE DECEMBER 8,2011
	SUBJECT/PROPOSAL/REQUEST: NOVEMBER 2011 Monthly Law Enforcement Statistic		ITEM NUMBER
	ATTACHMENTS: None		FOR COUNCIL: Action () Information (X)
	STAFF CONTACT (s): Charles Brown Chief of Police	REVIEWED BY: Heather Arcos Town Manager	

The following information is the monthly statistics regarding law enforcement activities for the Cape Charles Police Department.

Calls for Service in Cape Charles: 48

Calls for Service Outside of Cape Charles: 17

10-13 Calls

(A) By Dispatch: 60

(B) By Phone via Officer/Trooper: 01

(C) In Person 04

Felony Arrests: 01

Misdemeanor Arrests: 03

DUI Arrests: 00

Traffic Summons Issued: 05

Traffic Warnings Issued: 01

Parking Tickets Issued:00

Assisted Northampton County Sheriff's Office: 03

Assisted Virginia State Police:05

Assisted Other Local Police:

Assisted Other Federal Agencies

Assisted Fire & Rescue:05

Assisted VDOT:

Hours of Training Received & What Type? 16HOURS ON-LINE IN-SERVICE

 <p>TOWN OF CAPE CHARLES</p>	AGENDA TITLE: Cape Charles Volunteer Fire Company		AGENDA DATE: December 8, 2011
	SUBJECT/PROPOSAL/REQUEST: Update and request for reimbursement December 2011 equipment loan payment.		ITEM NUMBER: 6A
	ATTACHMENTS: CCVFC P&L Statement		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Heather Arcos	REVIEWED BY: Heather Arcos, Town Manager	

BACKGROUND:

The Cape Charles Volunteer Fire Company (CCVFC) requested \$30K to be allocated in the FY 2011-2012 budget to pay for insurance and an annual equipment loan payment. The fire co. has a shortfall due to equipment and vehicle repairs.

On April 20, 2011, the Town Council held a work session with the CCVFC Board and the Town Council requested the following from the Board of the Fire Co.:

- 2011-2012 Insurance Payment Schedule; the July Insurance Invoice with Approval to pay
- Yearly Audit as defined in Bylaws – Completion of 2010; every year thereafter
- Quarterly Financial Reporting
- Active Fire Fighters list.
- Institute an Auxiliary for Funding Raising

The Treasurer, Hollye Carpenter is working with a CPA to complete the 2010 audit and has provided the Town Manager with the current insurance payment schedule, quarterly financial reports and a list of fire fighters.

The Town has budgeted \$30K in a contingency fund to be approved by the Town Council for disbursement of funds. The Town Council has approved and paid to date \$8,191 towards insurance.

DISCUSSION:

A Public Information Meeting was held on November 6, 2011 to make the public aware of the Fire Company's responsibilities and the desire to increase their membership. A campaign is in progress asking for volunteers to serve on an Auxiliary to support fundraising opportunities so the firemen can focus on fighting fires.

The annual equipment loan payment is due on December 13, 2011 in the amount of \$14,567.56. Hollye Carpenter has submitted the invoice and requested assistance from the Town to make the payment.

The balance of funding after the equipment loan payment of \$14,567.56 is \$7,242.

RECOMMENDATION:

Authorize the Town Manager to pay \$14,567.56 for the annual equipment loan for the Cape Charles Volunteer Fire Company by the December 13, 2011 due date.

1:34 PM
12/01/11
Cash Basis

Cape Charles Volunteer Fire Company, Inc.
Profit & Loss
January through November 2011

	<u>TOTAL</u>
Income	
4000 - Donations	
4001 Donations - Letter Drive	11,510.00
4005 Donations - Other	5,432.40
Total 4000 - Donations	<u>16,942.40</u>
4100 - Local Government	
4101 - Local Govt - County	15,606.00
4103 - Fire Tax Levy - County	1,507.33
4104 - Fire Tax Levy - Town	3,029.17
4107 - Insurance - Town	2,750.00
4100 - Local Government - Other	2,691.00
Total 4100 - Local Government	<u>25,583.50</u>
4200 - Fire Programs	
4101 - VDFP - County	5,394.00
4202 - VDFP - Town	8,000.00
Total 4200 - Fire Programs	<u>13,394.00</u>
4300 - Fund Raising	
4302 - Tool Mania	250.00
4303 - Texas Hold'em	2,890.08
4304 - Blessing of the Fleet	2,553.79
4305 - Store Boot Drive	700.00
4306 - 4th of July Festivities	3,602.40
4307 - Seafood Festival	9,787.86
4308 - Renovator's Ball	569.00
4309 - Epiphany Party	702.18
4310 - Harbor Party	676.73
4311 - Buy Boat Reunion	1,508.15
4312 - CC 125th Celebration	491.00
Total 4300 - Fund Raising	<u>23,731.19</u>
4400 - Insurance Proceeds	
4401 - Insurance - Refund	128.00
4402 - Insurance - Claim	8,079.90
4400 - Insurance Proceeds - Other	2,750.00
Total 4400 - Insurance Proceeds	<u>10,957.90</u>
4600 - Program Income	
4601 - Program Service Fees	890.00
Total 4600 - Program Income	<u>890.00</u>
4700 - United Way	1,440.61
4800 - Dress Uniforms	378.14
Total Income	<u>93,317.74</u>
Expense	
5000 - Utilities	
5002 - Heating Fuel	3,830.26
5003 - Telephone	1,276.34
5004 - Cable TV	0.76
Total 5000 - Utilities	<u>5,107.36</u>
5100 - Administration	
5102 - Postage, Mailing	596.66
5104 - Office Supplies	215.12
5105 - Website Maintenance	264.65
5106 - Cleaning Supplies	55.52
Total 5100 - Administration	<u>1,131.95</u>

1:34 PM
12/01/11
Cash Basis

Cape Charles Volunteer Fire Company, Inc.
Profit & Loss
January through November 2011

	<u>TOTAL</u>
5200 - Insurance	
5201 - Liability	1,697.00
5202 - Auto	5,462.00
5203 - Portable Equipment	2,301.00
5204 - Property	1,159.50
5205 - Workers Compensation	7,119.50
5206 - Accident/Health	1,553.00
Total 5200 - Insurance	<u>19,292.00</u>
5300 - Fuel	
5301 - Vehicle Fuel	4,893.08
5302 - Small Engine Fuel	64.50
Total 5300 - Fuel	<u>4,957.58</u>
5400 - Vehicle Repairs	
5401 - Truck 15	1,938.66
5402 - Rescue 15	81.63
5403 - 15-3	335.44
5404 - 15-4	5,274.62
5407 - 15-7	47.99
5408 - 15-8	6,944.36
5409 - 15-9	41.32
5410 - General Maintenance	112.82
Total 5400 - Vehicle Repairs	<u>14,776.84</u>
5450 - Equipment Repairs	
5451 - PPE	2,232.64
5452 - SCBA	1,751.85
Total 5450 - Equipment Repairs	<u>3,984.49</u>
5500 - Building Repairs	
5501 - Heaters	65.00
5502 - Miscellaneous Repairs	54.75
Total 5500 - Building Repairs	<u>119.75</u>
5600 - NEW Equipment	
5602 - Communications Equipment	1,243.97
Total 5600 - NEW Equipment	<u>1,243.97</u>
5700 - Professional Services	
5701 - Accounting Fees	1,845.36
5703 - Bank Fees	541.65
5704 - Membership Fees	227.00
Total 5700 - Professional Services	<u>2,614.01</u>
5800 - Personnel	
5801 - Conf,Convent,Meeting	8.00
5803 - Food	84.14
5804 - Incidentals	78.75
Total 5800 - Personnel	<u>170.89</u>
5900 - Fund Raising	
5401 - Start \$\$	0.00
5902 - Tool Mania	4,065.58
5903 - Texas Hold'em	1,135.30
5904 - Blessing of the Fleet	2,638.22
5905 - Municipal Marketing	530.83
5906 - 4th of July Festivities	2,511.27
5907 - Seafood Festival	3,891.48
5911 - Buy Boat Reunion	919.71
5900 - Fund Raising - Other	96.95
Total 5900 - Fund Raising	<u>15,789.34</u>
5999 - Interest	119.46

1:34 PM
12/01/11
Cash Basis

Cape Charles Volunteer Fire Company, Inc.
Profit & Loss
January through November 2011

	<u>TOTAL</u>
6000 - Loans	
6001 - GXtreme Turnout Gear	<u>2,913.17</u>
Total 6000 - Loans	<u>2,913.17</u>
 Total Expense	 <u>72,220.81</u>
 Net Income	 <u><u>21,096.93</u></u>

 TOWN OF CAPE CHARLES	AGENDA TITLE: Commemoration and Support of the Bicentennial of the American War of 1812 in Virginia		AGENDA DATE: December 8, 2011
	SUBJECT/PROPOSAL/REQUEST: Adopt a resolution to commemorate and support the Bicentennial of the American War of 1812 in Virginia		ITEM NUMBER: 7A
	ATTACHMENTS: Virginia Commission on the Bicentennial of the War of 1812 Letter and Resolution #20111208		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Heather Arcos	REVIEWED BY: Heather Arcos, Town Manager	

BACKGROUND:

A letter was received from the Virginia Commission on the Bicentennial of the American War of 1812 announcing the commemoration of the bicentennial in the Commonwealth and to invite the Town to participate in and support the bicentennial programs and activities.

On January 11, 2012, the Commission, in collaboration with the Richmond Symphony, will launch the bicentennial of the War of 1812 with a Symphonic Tribute and various events have been planned through 2015. OpSail Virginia 2012 is among the planned events. Historical highway markers will also be dedicated for certain sites on the newly created Virginia War of 1812 Heritage Trail. All bicentennial programs and activities are designed to promote historical literacy, showcase Virginia's role in the War of 1812, and educate Virginians regarding the significance of the war to democratic principles, contemporary national policies, homeland security and diplomacy.

DISCUSSION:

The Commission is requesting local governments to adopt a resolution in support of the bicentennial and plan local programs and activities marking the bicentennial. Local events will be publicized on the Commission's website.

RECOMMENDATION:

Review the included information and adopt Resolution 20111208 - To Commemorate and Support the Bicentennial of the American War of 1812 in Virginia with a roll call vote.

COMMONWEALTH OF VIRGINIA

RECEIVED OCT 27 2011



The Honorable M. Kirkland Cox, *Chairman*
Sixty-Sixth House District

The Honorable Stephen H. Martin, *Vice Chairman*
Eleventh Senatorial District

Virginia Commission on the Bicentennial of the War of 1812

October 25, 2011

The Honorable T. K. Sullivan
Mayor, Town of Cape Charles
2 Plum Street
Cape Charles, VA 23310

Dear Mayor Sullivan:

It is my pleasure, as Chairman of the Virginia Commission on the Bicentennial of the American War of 1812, to announce the commemoration of the bicentennial in the Commonwealth and to invite your locality to participate in and support the bicentennial programs and activities. I am joined on the Commission by other members of the Virginia House of Delegates, the Senate of Virginia, and accomplished citizens who have a deep interest in the War of 1812 and a commitment to commemorating the bicentennial. Our legislative Commission is ably assisted in its work by a Citizen Advisory Council, whose members include educators, historians, and representatives of the military and historical and heritage societies.

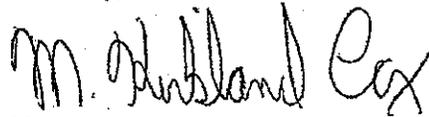
On January 11, 2012, the Commission, in collaboration with the Richmond Symphony, will launch the bicentennial of the War of 1812 with a Symphonic Tribute at CentreStage in Richmond. Other signature events include:

- OpSail 2012 Virginia, June 1-12, 2011
- Chesapeake Bay Tour in 2013
- Legacy Symposium, June 2014
- Commemoration of the Burning of the White House and Occupation of Alexandria, August 2014
- Memorial Honoring Fort Meigs and Recognition of Contributions of African Americans in the War of 1812, June 2015

From 2011 through 2015, the Commission will dedicate historical highway markers for certain sites on the newly created Virginia War of 1812 Heritage Trail. A copy of our commemorative brochure is enclosed. In addition, the Commission is requesting local governing bodies to pass a resolution in support of the bicentennial. A sample resolution is enclosed for your perusal and use. Many other activities, including a documentary, book, and a War of 1812 in Virginia exhibit, are in production. All bicentennial programs and activities are designed to promote historical literacy and scholarly research, showcase accurately Virginia's role in and vast contributions to "*The Forgotten War: America's Second War of Independence*," and educate Virginians concerning the significance of the war to democratic principles, contemporary national policies, homeland security, and diplomacy.

Further, I encourage you to plan local programs and activities in which your residents can participate to mark the bicentennial, and to your events with the Commission in order that we may publicize them on our website at <<http://va1812bicentennial.dls.virginia.gov/>>. We hope that we can count on you to join us in celebrating and remembering this very important historic event in the life of the Commonwealth and our nation. For more information concerning Virginia's bicentennial commemoration of the War of 1812, please contact our staff, Mrs. Brenda H. Edwards, at the Division of Legislative Services in Richmond, (804) 786-3591 or bedwards@dls.virginia.gov.

Sincerely,

A handwritten signature in black ink that reads "M. Kirkland Cox". The signature is written in a cursive style with a large, stylized "M" and "C".

M. Kirkland Cox
Chairman

Enclosures

cc: The Honorable Stephen H. Martin
The Honorable Christopher K. Peace

THE COMMISSION

The 2008 Virginia General Assembly created the Virginia Commission on the Bicentennial of the American War of 1812 to prepare for and commemorate the bicentennial anniversary of Virginia's participation in the American War of 1812.

Legislation creating the Commission was co-patroned by Del. M. Kirkland Cox (HB1391) and by Senator Stephen H. Martin (SB383). The Commission plans commemorative events and activities, encourages research to promote historical literacy and understanding of the war, and supports organizations throughout the state as they plan commemorative events.

COMMISSION MEMBERS

Del. M. Kirkland Cox, CHAIRMAN	Sen. Stephen H. Martin, VICE-CHAIRMAN
Sen. George L. Barker	Del. R. Lee Ware, Jr.
Del. Rosalyn R. Dance	Mr. Peter E. Broadbent, Jr.
Del. Christopher K. Peace	Ms. Nancy G. Heuser
Del. Kenneth R. Plum	Ms. Betsy S. Barton
Sen. Frederick M. Quayle	Dr. Sandra G. Treadway

SPECIAL EVENTS

SPRING 2011 - Madison & Monroe Wreath Laying
JANUARY 11, 2012 - A Symphonic Tribute, in cooperation with the Richmond Symphony, will begin the commemoration of the bicentennial in Richmond.
JUNE 11-12, 2012 - OpSail Virginia 2012 and the U.S. Navy will bring tallships to Hampton Roads to commemorate the War of 1812 in Norfolk.
SEPTEMBER 2013 - Chesapeake Bay Tour retracing British invasion of Hampton Roads and battles along the Chesapeake and Northern Neck.

NOVEMBER 2014 - Legacy Symposium, a family-friendly educational symposium, will be held at Fort Monroe.



AMERICA'S SECOND
WAR OF INDEPENDENCE

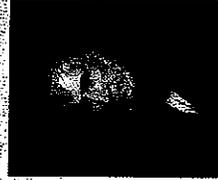
VIRGINIA PRESIDENTS OF THE WAR



JAMES
MADISON



JAMES
MONROE



WILLIAM HENRY
HARRISON

FOR MORE INFORMATION:

VIRGINIA COMMISSION ON THE BICENTENNIAL OF THE AMERICAN WAR OF 1812

Division of Legislative Services
 910 Capitol Street
 General Assembly Building, 2nd Floor
 Richmond, VA 23219

BRENDA H. EDWARDS
 Senior Research Associate

EMAIL:
 bedwards@dls.virginia.gov

CALL:
 (804) 786-3591

LEARN MORE. GO ONLINE:
<http://va1812bicentennial.dls.virginia.gov>

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THE VIRGINIA COMMISSION ON THE



AMERICA'S SECOND
WAR OF INDEPENDENCE

BICENTENNIAL OF THE AMERICAN WAR OF 1812



WWW.VA1812BICENTENNIAL.DLS.VIRGINIA.GOV
 WWW.FACEBOOK.COM/VAVAROF1812

RESOLUTION 20111208

**To Commemorate and Support the Bicentennial of the
American War of 1812 in Virginia**

WHEREAS, the American War of 1812 was fought between the United States and Britain from June 18, 1812 through February 18, 1815 in Virginia and Maryland, along the Canadian border, the western frontier, the Gulf Coast and through naval engagements in the Great Lakes and the Atlantic and Pacific Oceans; and

WHEREAS, the strategic location of the Chesapeake Bay near the nation's capital made it a prime target for the British and the coast of Virginia figured prominently in the Atlantic theatre of operations; and

WHEREAS, there were some 73 armed encounters with the British that took place in Virginia during the war and Virginians actively fought in Maryland, Virginia, Ohio and in naval engagements; and

WHEREAS, an estimated 70,000 Virginians served during the American War of 1812; and

WHEREAS, the American War of 1812 helped forge a national identity among the American states and laid the groundwork for a national system of homeland defense and a professional military within the United States; and

WHEREAS, bicentennial of the American War of 1812 provides an opportunity for all Americans to commemorate the independence for which our forefathers so bravely fought; and

WHEREAS, the 2009 Virginia General Assembly established the Virginia Bicentennial of the American War of 1812 Commission to lead the Commonwealth's commemoration of the bicentennial of America's Forgotten War, the Second War of Independence, and localities throughout the State have been requested to commemorate the bicentennial locally with appropriate activities and to participate in several signature events and other numerous programs and activities which have been planned for the Commonwealth;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of Cape Charles, this 8th day of December 2011 that the Council commemorates the bicentennial of the American War of 1812 in Virginia and will endeavor to support the commemoration through locally developed activities and participation in statewide bicentennial events and programs.

Adopted by the Town Council of Cape Charles on December 8, 2011.

By: _____
Mayor

ATTEST:

Town Clerk

 <p>TOWN OF CAPE CHARLES</p>	AGENDA TITLE: Eastern Shore Hazard Mitigation Plan Adoption		AGENDA DATE: December 8, 2011
	SUBJECT/PROPOSAL/REQUEST: Approve Resolution 20111208A To Adopt the 2011 Eastern Shore Hazard Mitigation Plan		ITEM NUMBER: 7B
	ATTACHMENTS: Resolution 20111208A , Town of Cape Charles Profile Section of the Eastern Shore Hazard Mitigation Plan		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Jeb Brady, Code Official	REVIEWED BY: Heather Arcos, Town Manager	

BACKGROUND:

Certain funding opportunities through FEMA require localities to write and adopt a Hazard Mitigation Plan. The Eastern Shore of Virginia and the localities, with help from the Accomack-Northampton Planning District Commission, wrote and adopted a Mitigation Plan in 2005. The plan is required to be updated every five years in order to maintain a FEMA-approved status.

DISCUSSION:

The Eastern Shore Hazard Mitigation Committee has been working on a re-write of the Plan throughout the past year. This includes updates to each locality's section and to incorporate mitigation projects that are necessary for each locality. The plan has been approved by the Virginia Department of Emergency Management (VDEM) and FEMA has suggested some minor changes to the plan. Those changes have been incorporated and the plan has been submitted for final approval from FEMA. This final approval should come within the next two weeks. All localities must approve the plan prior to January 1, 2012.

The Town of Cape Charles Profile section of the Eastern Shore Hazard Mitigation Plan is included in the agenda packet.

RECOMMENDATION:

Staff recommends Council approve Resolution 20111208A-To Adopt the 2011 Eastern Shore Hazard Mitigation Plan by a roll call vote and authorize the Mayor to sign the resolution once final approval has been given by FEMA.

**TOWN OF CAPE CHARLES, VIRGINIA
RESOLUTION 20111208A**

TO ADOPT THE 2011 EASTERN SHORE HAZARD MITIGATION PLAN

WHEREAS, the Disaster Mitigation Act of 2000, as amended, requires that local governments develop and adopt natural hazard mitigation plans in order to receive certain federal assistance; and

WHEREAS, an Eastern Shore Hazard Mitigation Planning Committee comprised of members of the business community and non-profit organizations, and local officials was convened in order to study the County's risks from and vulnerabilities to natural hazards, and to make recommendations on mitigating the effects of such hazards on the County; and

WHEREAS, the Accomack-Northampton Planning District Commission updated a regional Hazard Mitigation Plan including the Town of Cape Charles; and

WHEREAS, the efforts of the Town of Cape Charles, the Eastern Shore of Virginia Hazard Mitigation Planning Committee members, and the Accomack-Northampton Planning District Commission have resulted in an update of a regional Hazard Mitigation Plan.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Cape Charles, Virginia, that the sections pertaining to the Town of Cape Charles in the Eastern Shore Hazard Mitigation Plan dated December 2011, is hereby approved and adopted for the Town of Cape Charles, Virginia, subject to final approval by the Federal Emergency Management Agency.

BE IF FURTHER RESOLVED by the Town Council of the Town of Cape Charles, Virginia, that Mayor Sullivan is authorized to sign this adoption resolution upon notice of final approval of the Eastern Shore Hazard Mitigation Plan by the Federal Emergency Management Agency.

Adopted by the Town Council of Cape Charles on December 8, 2011.

By: _____
Mayor

Date: _____

ATTEST:

Town Clerk

Town of Cape Charles Profile

Terminology

100-Year Flood – A flood that has a 1% chance of being equaled or exceeded in any single year

A zone – areas where the 1% probability flood, 100-year flood, would inundate with waves less than 3 feet.

V zone – areas where the 1% probability flood, 100-year flood, would inundate with waves greater than 3 feet.

NFIP – National Flood Insurance Program

Pre-FIRM – Built before the FIRM (Flood Insurance Rate Map) was adopted by a community

History. The Town of Cape Charles is located in southern Northampton County on the Chesapeake Bay. The Town was created in 1884 as a planned community at the southern terminus of the railroad. The Town was incorporated in 1886. In 1909 the area to the west of the Town on the Bay was incorporated into the Town. This area is called the Sea Cottage Addition. In the early 1900s, the Eastern Shore entered a quiet time, storm wise, and it is during this time that the Sea Cottage Addition was added to the Town. In 1990, the entire southern and northern portions of the neck that Cape Charles is located on were annexed into the Town. All of this land had belonged to Brown and Root and is now being developed as a Planned Unit Development.

Demographics. The 2010 Census indicated that the Town has a population of 1,009, which is a 11.1% decline from the 1,134 people that lived in the Town during the 2000 Census. The median age for residents in Onancock in 2010 was 52.4 years, signifying a population older than the national average. The Town has become a popular destination for retirees in the past ten years and is experiencing a greater influx of seasonal residents. Both residents and tourists increase the population of the Town during the warm weather season. This trend is expected to continue to grow in the future and the Town is planning accordingly.

Coastal and Storm Water Flooding. The Flood Insurance Study identifies that the greatest threat of flood inundation comes from hurricanes and northeasters. The Flood Insurance Study was completed in 1982 and does not include the recent annexation of the southern portion of the Town. Two-thirds of the old Town are under 8 feet in elevation. The stillwater elevation of the 100-year flood is 8 feet and the wave crest elevation is 12 feet. In 1935, a wooden bulkhead was constructed to protect the Town from surge water. Many times this bulkhead had to be

refurbished or repaired. Dunes now protect the area of old Town from Washington Avenue to Mason Avenue from smaller floods while large flood heights can still inundate the area.

With an estimated 450 structures located within the Special Flood Hazard Area, it is estimated that the 100-year event would generate an estimated \$52.9 million in structure and content damages (2011 Eastern Shore of Virginia Coastal Flood Vulnerability Assessment). This estimated loss for the Town is greater than the potential loss for the remainder of Northampton County. Furthermore, in 2006 the potential loss estimate for the Town was \$31.1 million (2006 Eastern Shore of Virginia Coastal Flood Vulnerability Assessment) and the potential loss has increased by \$21.8 million in the past five years. According to the May 2011 FEMA NFIP insurance report, the Town has 266 flood insurance policies located in the Special Flood Hazard Area, all of which are located in A-zones. It is estimated that a 100-year flood event in the Town will have \$37.7 million in uninsured losses (2011 Eastern Shore of Virginia Coastal Flood Vulnerability Assessment). In 2006, the estimate for uninsured loss was at \$25.5 million indicating an increase of \$12.2 million in uninsured damage in the past five years. The portion of the Town annexed in 1990 also receives flooding. A great deal of the land is located in the 500-year flood plain with some portions in the 100-year flood plain.

The Army Corps of Engineers produced *Flood Plain Information – Coastal Flooding Cape Charles* in May 1970 to assess flooding problems in the Town. The report indicates that the stillwater elevation in the 100-year event would be 8 feet. This assessment is in agreement with the Flood Insurance Study for the Town. The Corps also defined the Standard Project Tidal Flood as the largest flood that can be expected from the most severe combination of meteorological and hydrological conditions that are considered reasonably characteristic of the geographical region involved, excluding extremely rare combinations. In other words, the Standard Project Tidal Flood is the most reasonable large event. First a Standard Project Hurricane was developed that had a central pressure of 27.6 inches and wind speeds of 112 miles per hour moving 52 miles in a west-northwest direction. This is a weak Category 3 hurricane just slightly stronger than Hurricanes Floyd and Isabel as they struck land in North Carolina. In Cape Charles, this storm would produce a stillwater elevation of 12 feet. According to the FEMA Coastal Construction Manual, this

water depth can generate waves up to 9.4 feet high (0.78 x 12 feet) over the stillwater elevation. This does not mean that a greater storm could not occur, but defines the most reasonable large event.

Almost all of the commercial area of Cape Charles is located within the 100-year flood plain. Besides direct damage most of these buildings would be damaged in a 100-year event causing other indirect damage such as lost income to employees. In 2011, the Town had 70 business establishments that employed about 650 people (Verbal Communication with Town Staff, August 2011). It is expected that many of these employees do not live within the Town. The 2000 Census showed that only 176 residents also work within the Town.

Several factors cause the Town of Cape Charles storm water system to be prone to flooding during significant rain events. The Town's storm water drains from east to west, ending at the Chesapeake Bay. The curb and street inlets on Bay Avenue are at elevation 4.5 feet and the Flood Elevation in this area is 9 feet. The southern half of the Town has surface drainage only while the northern half of Town has an underground drain system. The Town continues to work with VDOT on maintenance but mitigation would be preferred. The streets are maintained by VDOT within the Town limits (Verbal Communication with Town Staff, August 2011).

Storm water flooding occurs during significant rain events at the intersection of Plum Street and Madison Avenue. During a northeaster in 2007, storm water completely inundated the streets of the western portion of the Town due to floodwaters being unable to drain at the time of the storm. Some homes experienced minor flooding during this event (Verbal Communication with Town Staff, 2010).

NFIP Community Participation. The Town joined the NFIP on February 2, 1983. The May 2011 FEMA NFIP insurance report shows that the Town has 316 flood insurance policies. This is an increase of 133 new policies since 2003 (FEMA NFIP insurance report, July 2003). Of the 316 policies in Town, 50 of these are not in the Special Flood Hazard Area (SFHA) and may indicate persons who have storm water flooding issues. The number of non-SFHA policies has also increased by 35 policies since 2003 (FEMA NFIP Insurance Report, July 2003). Since the

Town joined the NFIP, there have been nine flood insurance claims totaling \$25,304 with an average claim of \$2,812. (FEMA NFIP Insurance Report, May 2011). There have been three flood insurance claims filed since 2003 (FEMA NFIP Insurance Report, July 2003 and May 2011).

According to the 2000 Census, there were only 93 mortgages within the Town. Some persons have purchased flood insurance even though it is not mandatory. However, it is estimated that 70% of structures at risk are insured in 2011. In 2003, only 41% of structures at risk in the Town were insured, which indicates that the Town is successfully encouraging residents to purchase flood insurance.

Cape Charles participates in the Community Rating System (CRS) program, which provides incentives for National Flood Insurance Program communities to complete activities that reduce flood hazard risk. When a community completes specified activities, the insurance premiums of these policyholders in communities are reduced. The Town received an initial score of nine as a new participant meaning that residents receive a five percent discount on flood insurance. The Town is working diligently to improve its CRS rating to earn its residents an even greater discount in the future.

HMGP Participation. The Town has not participated in the HMGP.

High Wind Events. Portions of the Town are located in the wind borne debris hazard area, which is defined as the area extending 1-mile inland from the shoreline. In 2003, it was estimated that there were 687 structures in this area. Assuming a 110 mph (3 second wind gust) event, which is the 100-year event, Cape Charles could expect approximately \$8.3 million in wind damages (2003 Eastern Shore of Virginia Wind Vulnerability Assessment).

In addition to direct wind damage, much of the old Town has mature trees that are a potential secondary hazard to the structures in that area. As seen during Hurricane Isabel in 2003, historic northeasters, and other high wind events, structures are vulnerable to being damaged by large trees that come down.

There are many mature trees within the Town that are vulnerable during a high wind event. Massive tree damage could potentially

damage structures that could trigger the NFIP requirement to elevate structures above the Base Flood Elevation. The Cape Charles building stock in the older part of Town consists of larger historic homes. The vast majority of these homes were built with the first floor living space above the Base Flood Elevation.

Coastal Erosion. During the past eight years the Town of Cape Charles has had an aggressive plan to mitigate erosion along its entire shoreline and harbor area. Twenty (20) offshore breakwaters have been built to protect the northern Marina Village, Town Beach, Harbor entrance and the Bay Creek Beach on the south. These have been built with both private and public funds. There are three more breakwaters planned at the mouth of the Harbor to protect it from incoming swells and more breakwaters are required on the northern and central sections of the coastline. Mitigation could continue but has been halted due to lack of funding both public and private.

In 2003, the Town had 20 structures within 100 feet of the shoreline that were at risk to coastal erosion. This represented approximately \$5.6 million in damages (2003 Eastern Shore of Virginia Coastal Erosion Vulnerability Assessment). Four of those structures were located within 50 feet of the shoreline. In 2011, Town staff indicated that only seven structures were located within 100 feet of the shoreline and the potential loss would be significantly less than what was estimated for 2003. Additionally, Town staff indicated that in 2011 five of the seven structures were located within 50 feet of the shoreline. Bay Shore Concrete has some structures in this area. Since this is a large parcel it inflates the average of the value of the structures lying within the potential erosion area. During Hurricane Isabel in 2003 and November Northeaster of 2009, portions of lots in the northern section of the Town were eroded.

FEMA's post-storm inspections show that most privately funded erosion control structures fail during storm events. FEMA notes in the Coastal Construction Manual that some communities choose to distinguish between erosion control structures that protect existing development and those that are constructed to create a buildable area on an otherwise unbuildable site. Buildings destroyed by erosion are not covered under a NFIP flood insurance policy.

Other Local Hazards. One other local hazard is the lack of accessibility. There are two roads leading into the area. Accidents have closed the main road leaving only one route accessible. Both roads have mature trees that could also close the road in a wind event. Ice and snow events occasionally threaten accessibility to the Town on both roads.

Critical Facilities. The following table lists the critical facilities and their relative importance to the Town.

Facility	Hazards	No. of People Affected	Loss Potential	Relocation Potential	Retrofit Potential
Volunteer Fire & Police Departments/Municipal Building	Wind, Flooding	Entire Town	Devastating	Yes	Yes
Medical Center	Wind, Flooding	Entire Town	Inconvenience	No	No
Pharmacy	Wind, Flooding	Entire Town and Southern Northampton County	Major Disruption	No	No
Wastewater Treatment Plant	Wind, Flooding	Entire Town	Devastating	Yes	Yes
Water Treatment Plant & Tower	Wind, Flooding	Entire Town	Devastating	Yes	Yes
Harbor & Coast Guard Station	Wind, Flooding	Entire Town and Chesapeake Bay Region	Major Disruption	No	Yes
Religious Sites (Potential Post Disaster Works)	Wind, Flooding	Entire Town	Major Disruption	No	No

TABLE 22.1 Critical Town Facilities in Cape Charles.

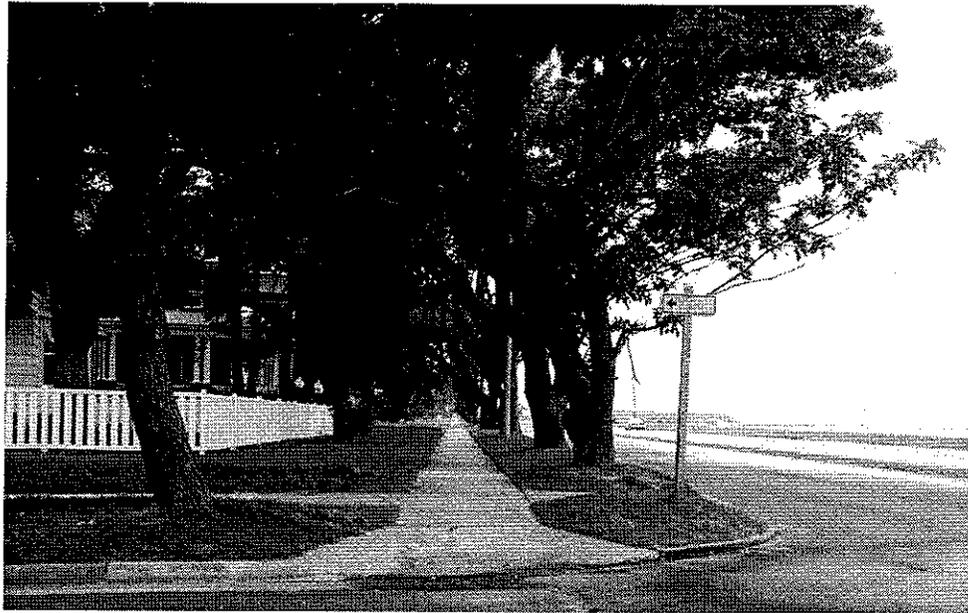


FIGURE 22.1 Bay Avenue is the western Boundary of the Cape Charles Historic Area. This is also part of the Sea Cottage Addition and will be one of the first to feel the brunt of any flooding. *Photo by Elaine Meil.*

Review.

Cape Charles Town Plan – Revised 1999, 2009. The Town Plan identifies the 100-year flood plain and some coastal erosion issues. Several goals identified for other reasons than flooding or erosion could potentially include some mitigation options or deal with recovery issues. The list below describes some of these goals.

- Public acquisition of additional land in the vicinity of the harbor.
- Ensure adequate enforcement of building maintenance codes of the Town and state.
- Eliminate storm water from sanitary sewer collection system.
- Identify funding sources and options for renovation and/or replacement of community facilities, Cape Charles School and Municipal Building.
- Expand and improve public harbor and marina facilities including bulkhead replacement
- Maintain and improve the public beach through beach restoration activities.
- Continue to enforce the Chesapeake Bay Preservation Area Overlay District.

- Implement the use of storm water Best Management Practices within the Town's Chesapeake Bay Preservation Overlay District
- Locate development away from sensitive environmental features.
- Build offshore breakwater or parallel breakwaters at the north end of the public beach to work in conjunction with existing storm water outfall.
- Place beach sand along the mid to northern half of the public beach in the area of severe erosion as part of the breakwater project.
- Raise the channel jetty to mean high water at the shoreward end and place a small spur on the north side to prevent sand losses through the jetty.
- Pursue funding from Corp of Engineers and Department of Conservation and Recreation to carry out shoreline erosion strategies.
- Expand and protect the Town's tree cover through the development of an ordinance that would establish standards for tree preservation and planting.
- Discourage the demolition of historically significant buildings. Consider the adoption of a demolition ordinance to protect buildings in the commercial area.
- Promote harbor-related land uses in the Cape Charles harbor area. Discourage uses that do not require waterfront locations in the harbor area.
- Develop and improve public waterfront harbor properties to enhance their recreation and economic potential and to magnify the attraction of Cape Charles as a tourist destination.
- Limit the height and intensity of new development along the waterfront areas to preserve visual access and the natural beauty of the waterfront for the broader public.
- Develop a long-range master plan for the harbor area.
- Protect special environments and open spaces from incompatible development by limiting the type and intensity of land development in those areas.
- Encourage acquisition of special environments by public agencies or nonprofit conservancy organizations for the purposes of preservation.
- Public acquisition of waterfront lands especially in the vicinity of the beach and northern Chesapeake Bay shoreline.
- Review and refine regulations of the PUD zoning designation.

- o Site planning should be responsive to natural features and ecological considerations, such as topography, woodlands, wetlands, stream buffers and storm drainage.
- o Study the impact of a new entrance into Town.

Trends. The Town has two areas of new development and one area of redevelopment. The northern portion of Town, Bay Creek Marina Villages, is being developed and is subject to high winter winds and shore erosion. The southern portion, Bay Creek Golf Resort, has two 18-hole golf courses as well as residential development. However, the vast majority of this area lies outside the 100-year floodplain. A high wind event is probably the most devastating natural hazard that could affect this large area. These two areas are expected to add an additional 3,000 residential units to the Town. The area of redevelopment is the Historic District and the Sea Cottage Addition with 14 empty lots fronting on Bay Avenue. This is the area of most risk to coastal flooding and could suffer direct damage from high winds. The street is below the 100-year flood level.



FIGURE 22.2 Lots for sale on Bay Avenue. *Photo by Elaine Meil*

Findings.

1. The Sea Cottage Addition was built on filled marsh land before 1909.
2. The Town is protected from low level flooding due to the dunes and bulkhead but these may not be effective in a 100-year flood. There could be a false sense of security in the Town about flooding.
3. The 100-year flood could cause significant losses in the Town. Four Hundred and forty-nine buildings lie within the flood area and many of the retail employees would be unemployed temporarily.
4. The most reasonable worst-case scenario for the Town is a slow moving Nor'easter of the magnitude of the November Nor'easter in 2009. These storms, unlike hurricanes, push water toward Cape Charles and increase the tidal elevation. Hurricanes tend to push water to the western shore of the Bay and present a wind hazard over a flood hazard.
5. Fifty-nine percent of the structures at risk to flooding do not have flood insurance.
6. The older historic homes were built with "basements" where the boiler was housed. Due to the high water table these basements could not be very deep and therefore the first floor above grade is generally above the flood level.
7. Cape Charles is a National Historic District and during a disaster historic buildings could be damaged. The older historic homes in the flood zone were built so that the first floor above grade is above the flood level. While a flood would be devastating it would not require most of the homes to be raised only the be repaired and utilities to be moved from the basements.

8. Some property owners are not heeding the warning of Hurricane Isabel's recent flooding and erosion. They are going ahead with plans to construct homes in the risk areas. In some cases, these homes cannot be insured from the damage that could destroy them.
9. Cape Charles is located on a peninsula with only two roads entering or leaving town. If evacuation prior to a hurricane is delayed, A blocked road could preclude persons in hazard areas from taking refuge outside the Town. The official evacuation route is to the north parallel to the coast with at least 90 miles before an inland access is available. Early evacuation could be across two bridge-tunnel complexes and westward to higher ground.
10. Most critical facilities are subject to flooding and high wind.
11. The Town's vulnerability is increasing as the population grows. Some new development is going in hazardous areas.

 <p>TOWN OF CAPE CHARLES</p>	AGENDA TITLE: Wireless Broadband Test		AGENDA DATE: December 8, 2011
	SUBJECT/PROPOSAL/REQUEST: Water Tower Wireless Test		ITEM NUMBER: 7C
	ATTACHMENTS: None		FOR COUNCIL: Action (x) Information ()
	STAFF CONTACT (s): Tom Bonadeo, Town Planner	REVIEWED BY: Heather Arcos, Town Manager	

BACKGROUND:

The Broadband Network is going live this month in various towns on the Eastern Shore. A company, Eastern Shore Communications, LLC, is conducting tests in Parksley and Onancock for the purpose of determining the practicability of providing wireless broadband service to customers in those towns. They are another service provider made possible by the new network.

The Town of Cape Charles previously conducted a test using the water tower as a base site. Eastern Shore Communications, LLC, is requesting the opportunity to conduct a test of wireless service using the water tower as an antenna base. The Broadband Network is already available at the water tower.

Staff has evaluated the equipment proposed for the test and test results of this equipment in other areas and found it is greatly improved over the type of equipment tested a few years ago. The technical capability of the company is also very strong.

DISCUSSION:

The Town population stands to benefit greatly by alternate providers of broadband service, wireless or wired. All the requirements regarding the use of Town property will apply such as appropriate insurance policies including liability for damages, and removal of tested equipment.

A successful test would mean the possibility of additional services to more citizens and a potential income stream from antenna site rental.

RECOMMENDATION

Staff recommends allowing Eastern Shore Communications, LLC to conduct a wireless broadband test on the water tower with Town staff supervision.

**PROCLAMATION FOR ALSTON JOYNES GODWIN'S 100TH BIRTHDAY
TOWN OF CAPE CHARLES, VA**

WHEREAS, Alston Harding Joynes Godwin, having now lived a century, was born near Cape Charles, Virginia in Fairview, Virginia on December 17th, 1911; and

WHEREAS, she can trace her ancestry to natives of the Eastern Shore of Virginia; and

WHEREAS, she attended boarding school at the former Tidewater Institute, Cobbs Station, Virginia, and pursued nursing studies at the former Dixie Hospital near Hampton Institute, Hampton, Virginia; and

WHEREAS, she entered into mortuary apprenticeship at the age of 16 under the direction of her uncle and aunt Mills and Jennie Gray; and

WHEREAS, she went on to become a licensed Funeral Director in the State of Virginia for more than 70 years and was Owner and Operator of Gray's Funeral Home, the family business which was founded in 1895; and

WHEREAS, she married Cape Charles, Virginia, resident and distinguished businessman Thomas L. Godwin and had two children with four grandchildren and two great-grandchildren; and

WHEREAS, she has been a member of the First Baptist Church, Cape Charles, Virginia for nearly 80 years and served in numerous capacities, including Deacon; and

WHEREAS, she has held many friendships, promoted service through her life's work, and positively impacted generations of residents in the Town of Cape Charles, Virginia; and

WHEREAS, the arc of her life spans 100 years and the majority of her life has been experienced in Cape Charles, Virginia she is worthy of having a day named in her honor as a small token of appreciation for her contributions to this community;

NOW, THEREFORE, by virtue of the authority vested in me as Mayor of the Town of Cape Charles, I, Dora Sullivan, do hereby proclaim December 17th, 2011 as **ALSTON JOYNES GODWIN DAY** in the Town of Cape Charles and call upon my fellow residents to pay tribute to this individual who has long been a member of this community.

Adopted by the Town Council of Cape Charles on this 8th day of December, 2011.

Mayor Dora Sullivan

ATTEST:

Town Clerk