

TOWN COUNCIL

Regular Meeting

July 14, 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. Wastewater Treatment Plant Status
 - B. PSA / Regional Wastewater System Update
7. New Business
 - A. Regional Marketing Leverage Program Update
 - *B. Code 42-3 – Adoption of State Law
 - *C. Re-appointments of Library Board Members
 - *D. Chesapeake Bay Restoration and Clean-Up Support
 - *E. Municipal Building Masonry Work Contract Award
 - *F. Planning Commission Request for Support
8. Announcements
 - July 16, 2011 – Cape Charles Harbor Party
 - July 21, 2011 – Town Council Work Session with VEDP @ 6PM
 - July 28, 2011 – Town Council Work Session @ 6PM
 - August 5-8, 2011 – Chesapeake Bay Buy Boat Reunion @ Cape Charles Harbor
 - August 5-September 5, 2011 – Cape Charles 125th Anniversary Celebration
 - August 5, 2011 – Harbor Party sponsored by the Town Harbor
 - August 6, 2011 – Shriner's Parade
 - August 6, 2011 – Chamber of Commerce Harbor Party
 - August 11, 2011 – Town Council Regular Meeting @ 6PM
 - August 25, 2011 – Town Council Work Session @ 6PM
9. Adjourn at 8:00 P.M.



DRAFT
TOWN COUNCIL
Public Hearing
St. Charles Parish Hall
June 9, 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 Vice Mayor Bannon, Councilmen Bennett, Sullivan and Veber Councilwoman Natali. Councilmen Evans arrived at 6:01 p.m. Also in attendance were Town Manager Heather Arcos, Town Planner Tom Bonadeo and Town Clerk Libby Hume. The Department Heads were also in attendance along with 4 members of the public.

Mayor Sullivan announced the evening's public hearing was to hear public comment regarding the proposed modifications to the Town's Golf Cart Ordinance (Sections 42-31 and 42-49 through 42-56 of the Town Code).

PUBLIC COMMENTS:

Malcolm Hayward, 121 Strawberry Street and owner of Cape Charles Emporium

Mr. Hayward stated that he wanted to inform the Town Council of his Golf Cart Rental Terms (see attached). Mr. Hayward added that he recently heard and understood that residents of Cape Charles were permitted to drive their golf carts to and from Bay Creek to play golf, but Bay Creek residents were not permitted to drive their golf carts to the Historic District due to the speed limit on Old Cape Charles Road being 35 MPH and expressed his concern that item #4 of his Golf Cart Rental Terms were inaccurate.

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

Mayor Sullivan adjourned the Town Council Public Hearing by unanimous consent.

Mayor Sullivan

Town Clerk

Golf Cart Rental

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Drivers Lic #: _____ State: _____ Expires: _____

IN HOUSE ONLY

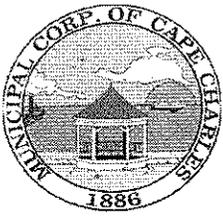
Cart # _____ Time Out _____ Return _____

1. I understand that I am financially responsible for any and all damages, including loss or theft of the golf cart, during the time of my rental. Any and all damages that are not written on this check sheet will also be my responsibility.
2. I hold Cape Charles Emporium, its employees and affiliates, harmless to any personal injury or property damage. I understand that Cape Charles Emporium accepts no responsibility for any accident or injury under the terms of this rental.
3. **Children and non-licensed drivers must not drive the golf cart.** A golf cart operating on a public road is subject to the same rules as any licensed automobile. Any golf cart stopped by the police or a Cape Charles Emporium employee, being driven by a non-licensed driver, is subject to forfeiture of the balance of the rental. The police will issue a citation. It is the renter's responsibility to ensure children and non-licensed drivers do not operate this vehicle.
4. Golf carts must stay within the posted 25 miles per hour town limits. It is an offense to drive outside these limits.

Signed: _____ Date: _____

Signed by parent or guardian if under 18 years
(with valid driver's license) _____ Date: _____

Please drive carefully



DRAFT
TOWN COUNCIL
Regular Meeting
St. Charles Parish Hall
June 9, 2011

Immediately Following the 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 Vice Mayor Bannon, Councilmen Bennett, Evans, Sullivan and Veber and Councilwoman Natali. Also in attendance were Town Manager Heather Arcos, Consultant Bob Panek, Town Planner Tom Bonadeo, Town Treasurer Jo Anna Leatherwood and Town Clerk Libby Hume. The majority of the Department Heads were also in attendance along with 6 members of the public.

Mayor Sullivan gave the invocation and led the Pledge of Allegiance.

PUBLIC COMMENTS:

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

Mayor Sullivan stated that Ms. Carol Evans would be a regular speaker during the public comment period to give a monthly update regarding the Eastern Shore of Virginia Tourism Commission (ESVTC) and that she would be permitted to speak this evening upon her arrival.

CONSENT AGENDA:

Motion made by Vice Mayor Bannon, seconded by Councilman Bennett, to approve the agenda as presented. The motion was approved by unanimous consent.

The Town Council reviewed the minutes of the April 28, 2011 Work Session, the May 12, 2011 Public Hearing, the May 12, 2011 Regular Meeting, the May 26, 2011 Work Session and Executive Session, and the June 2, 2011 Public Hearing.

Motion made by Vice Mayor Bannon, seconded by Councilman Sullivan, to approve the minutes for the April 28, 2011 Work Session, the May 12, 2011 Public Hearing, the May 12, 2011 Regular Meeting, the May 26, 2011 Work Session and Executive Session, and the June 2, 2011 Public Hearing as presented. The motion was approved by unanimous consent.

REPORT PRESENTATIONS:

A. Town Manager's Report:

Town Manager Heather Arcos reported the following: i) The Kalmar Nyckel visit went well at the Harbor. Smitty Dize would be sharing more information during his report; ii) Bayshore Concrete invited the Mayor and Town Council to lunch and tour of their facility on June 23rd. The County Board of Supervisors and the Cape Charles Rotary Club were also invited. Please RSVP to Libby Hume by June 17th; iii) VDOT cut the grass along route 184 coming into Town; iv) The Town is still waiting for approval from VDOT regarding the landscape plan for the entrance into Town at Route 13; v) VDOT was replacing the guard rails on the hump; vi) VDOT was cleaning out all storm drains in Town; vii) She had been notified that VDOT had funding to repair the sidewalks in Town; viii) The Town was waiting for confirmation of the process for the directional signs along Route 13 for the Cape Charles Beach; ix) Lynne Lochen, the Virginia Tourism Development Specialist, was giving a presentation to all business owners on June 18th. Invitations have been emailed to all business owners and were also being hand delivered; and x) The Town and the Cape Charles Business Association / Renewal Program were working with

the County, ESVTC, Chamber of Commerce, Blue Crab Bay Company and others on a regional marketing effort aimed at Hampton Roads.

B. Treasurer's Report:

The Treasurer's report dated May 31, 2011 showed \$1,942,954 in the Bank of America checking account and \$994,668 in the Local Government Investment Pool ("LGIP") with a Total Cash on Hand of \$2,937,622. Treasurer Jo Anna Leatherwood stated that there was nothing exceptional to explain regarding this month's report.

Motion made by Councilman Bennett, seconded by Councilman Evans, to accept the Treasurer's Report as presented. The motion was approved by unanimous consent.

C. Recreation Report:

Community Events/Recreational Coordinator Jen Lewis stated that she would also update Council regarding the Library report since Ann Rutledge was not in attendance and distributed the 2011 Summer Events Flyer. She went on to report the following: i) The Friends of the Library would be holding a book sale this weekend with a professional face painter and Sandy's Candy; ii) She is working with the Cape Charles Volunteer Fire Company (CCVFC) on the July 4th events which include a parade and vendors along the beachfront; iii) The 125th Anniversary Celebration was becoming a month-long event beginning with the Buy Boat weekend in August. The celebration would focus on history and would be kicked off with the Shriner's Parade on August 6th; iv) The number of kids participating in weekend activities was growing. Vice Mayor Bannon asked how many kids attended the Picnic in the Park over Memorial Day. Jen Lewis stated that she felt approximately 100 kids were in attendance; v) The CCVFC would be holding their annual Seafood Fest on July 2nd and tickets were available at Sullivan's. Some firemen from Virginia Beach were also coming to Cape Charles that weekend on vacation; and vi) The fireworks would be held on Sunday, July 3rd, at dusk.

Vice Mayor Bannon stated that the President of the Citizens for Central Park wrote a letter to the Eastern Shore News in response to the comment made by a citizen regarding the lack of a flag in Central Park. The next day, Bayshore Concrete donated three flag poles. Vice Mayor Bannon went on to add that the Library Board was considering development of a Cape Charles flag. Jen Lewis added that this would be a great contest.

D. Library Report:

Librarian Ann Rutledge was not in attendance.

Ms. Carol Evans arrived and Mayor Sullivan stated that at this point she would like to allow Ms. Evans to address Council to update them regarding the ESVTC.

Ms. Evans stated that she would be giving monthly reports to Council regarding the ESVTC and reported the following: i) So far in 2011, the Welcome Center representatives have greeted 38,300 people. The total for 2010 was 123,300; ii) As part of a grant, the ESVTC would be installing a touch screen kiosk at the Welcome Center which would be available to visitors 24 hours per day. The ESVTC hoped to have the kiosk in place by July 4th. Any businesses currently involved with the ESVTC and the Welcome Center would be included at no charge in the kiosk advertising for one year. Any businesses not currently involved could contact the ESVTC for information. There would be ten different defining locations including the Cape Charles Beach; iii) Donna Bozza sent out 60 media kits this last month. Articles were run in the Virginian Pilot and Richmond Times Dispatch regarding the Kalmar Nyckel visit. The Eastern Shore would be in the Washingtonian Magazine June Beach issue; iv) Information was given out at the Norfolk Airport; v) The next Coastal Tourism Commission meeting was scheduled for June 15th at 8:15 a.m. at Aqua. This group was comprised of tourism commissions from Smithfield, the Peninsula and South Hampton Roads areas; and vi) The ESVTC was part of the three-way partnership regarding OpSail 2012, with the Town of Cape Charles and Northampton County.

E. *Harbor Report:*

Harbor Master Smitty Dize reported the following: i) In mid-May a Naval Academy sailing squadron was caught in the storm that flipped two trucks on the Chesapeake Bay Bridge Tunnel. They tried to lower their sails but they got caught by the wind and ripped and were rescued by the Coast Guard and brought to the Cape Charles Harbor. The next day, a team from Annapolis came in to check out the vessel. The Commodore of the Fleet presented him with a Challenge Coin on behalf of the U.S. Naval Academy. These coins were typically presented to each Fleet Captain at the end of their voyages; ii) On the Saturday of the Memorial Day weekend, he had 44 boats in the Harbor. All the new slips were filled and some boats were placed in the old portion of the Harbor. The Old Point Comfort Yacht Club, which has been coming to the Cape Charles Harbor for the past three years, almost doubled the number of boats this year and brought 34 boats. At the end of their stay this year, they presented him with a flag; iii) He stated that he would like to have a Town Harbor flag and expressed his idea regarding the proposed Cape Charles town flag stating that it should be kept simple with the Town Seal on a blue background. He would like "Town Harbor" added to the flag to be flown at the Harbor; iv) One of the biggest complaints he received over the last several weekends was that the shops needed to be open later hours and on Sundays. Visitors coming into the Harbor like to shop in the evenings, possibly after dinner and on Sundays. Adjusting the hours between May 1st and September 30th would help the businesses in Town; v) Recently, he was interviewed for the Chesapeake Bay Magazine and he received notification that a photographer was going to be in Town this Saturday to take photographs for the article; vi) The crew of the Kalmar Nyckel loved Cape Charles and did not want to leave. They arrived a day early and left a day late and expressed their thanks for the great hospitality showed by the businesses and residents on the Town. He was trying to get a count of the total number of visitors from the Captain. The four sailing trips were sold out with 49 passengers per trip. Mayor Sullivan added that one of the business owners gave her personal car to be used by the crew. Councilman Evans stated that Smitty Dize was the root of the hospitality; vii) The God Speed arrived at 5:00 PM last night for an unexpected overnight visit to Town. He received the call later in the afternoon so he contacted Councilwoman Joan Natali who sent out a *Cape Charles Happenings Flash*. Visitors did come to the Harbor to look at the ship. The crew stated that they would be back. Councilwoman Natali asked whether the Harbor charged the God Speed for docking. Smitty Dize responded that he waived the two-day notice requirement and did not charge for overnight docking. Smitty Dize added that he felt it was very good publicity for the Town and Harbor; viii) The new slips opening on May 13th and compared to this time last year, there have been 44 more transient boats so far this year. Two yacht clubs were expected to arrive next weekend; and ix) The Chamber of Commerce Harbor Party has been rescheduled for June 25th.

Heather Arcos stated that the huge success of the Kalmar Nyckel weekend was due to the hard work of Smitty Dize, David Kabler, the Cape Charles business owners, the ESVTC, Arts Enter and numerous volunteers. The Kalmar Nyckel crew said that they would call in December to schedule their visit for next spring.

F. *Public Works / Public Utilities Report:*

Public Works / Public Utilities Director Dave Fauber reported the following: i) The sidewalk from the boardwalk to the beach bathrooms have been completed; ii) The work on the golf cart path along Old Cape Charles Road should begin next Monday; iii) The contractor doing the work along Mason Avenue was having problems with leaks and the rough paving should be started by the end of next week; iv) The asphalt for the road patches in various areas around Town should be done within the next week; and v) The bids for the Public Works maintenance building and the brick work for the Municipal Building were due next week.

Vice Mayor Bannon asked Dave Fauber to explain the recent issues with the water and the film residue. Dave Fauber stated that when the water tank was drained, the Town operated the water system with one well which produced approximately 250 - 270 gallons per minute. The

decreased flow allowed for better filtration. The increased efficiency of the filters and water softeners produced a film. With continued flushes, filtration and the connection of the two new wells, the Town would see a great improvement in the water quality.

Councilman Bennett asked about the delay in the Ground Water Withdrawal Permit from the Department of Environmental Quality (DEQ). Previously, Council was told that the delay was due to Council needing to adopt revised water ordinances which was done several months ago. Dave Fauber stated that he was waiting on the report from the test wells which were submitted to the Virginia Department of Health a couple of months ago. That data needed to be sent to the DEQ in order for the permit to be approved.

G. Code Enforcement:

Code Enforcement Officer Jeb Brady stated that he had no additions to his written report.

Vice Mayor Bannon asked for a code enforcement update regarding the cluttered porches, etc. throughout the Town. Jeb Brady stated that he had drafted a revised ordinance addressing these concerns and had sent the draft to the Town attorney for review. A work session would be scheduled soon for Council to review the ordinance.

Councilwoman Natali asked about a clump of concrete or clay left by the contractor at the South Peach Street entrance to Central Park. Tom Bonadeo informed Council that the clump of clay was a remnant from the boring that was performed at the park to deal with the drainage issue. Jeb Brady stated that he would take care of removing the material.

H. Planning Report:

Town Planner Tom Bonadeo reported the following: i) He had drafted a brochure regarding available State and Federal Historic Tax Credits, the Enterprise Zone and the proposed Technology and Tourism Zones. Copies of the draft brochure were distributed; ii) The Town's Chesapeake Bay Preservation Act Ordinance has undergone a 10-year audit / review and notification was received that it was found to be in compliance. On June 20th, the Local Assistance Board was scheduled to adopt a resolution covering septic tanks, etc. to protect the Chesapeake Bay. This would be good for tourism; iii) The Planning Commission discussed a text change in the zoning ordinance regarding the definition of "agriculture." Their recommendation would be presented to Council for review at the July meeting.

Councilman Veber stated that the brochure was great and provided important information to the property owners in the Historic District. Tom Bonadeo added that a number of brochures were being drafted regarding a variety of topics of interest to the citizens. Jeb Brady developed a brochure regarding the building code and Libby Hume had drafted a brochure containing miscellaneous information regarding utilities, taxes, etc. The purpose of the brochures was to provide information to the residents in an easy to read format. The plan was to send packets of brochures to new residents.

NEW BUSINESS:

A. Fiscal Year 2010 Audit Report:

Jo Anna Leatherwood stated that the Town audit for the period ending June 30, 2010 had been completed and a management letter identifying opportunities for strengthening areas of deficiencies in internal controls and operating efficiency was provided by the audit firm. One area referred to each year was the ability to identify delinquent tax balances by tax year. This situation was created when previous years were loaded into the current software as an accumulated amount vs. by year. As these taxes were collected, the balances could be broken down by year. Reference was made again this year about written reconciliations for all balance sheets accounts at the end of each year which is currently underway for June 30, 2011. Jo Anna Leatherwood added that she was recording the journal entries that could no longer be made by the auditors in order to maintain their independence from the client. Bank reconciliations

would be done monthly by the new accountant who was currently working to bring all previous months up to date.

B. *Fiscal Year 2011/2012 Proposed Budget:*

Heather Arcos stated that the Council held a public hearing on June 2, 2011 regarding the proposed Fiscal Year 2011/2012 Budget and no comments were received. Heather Arcos went on to state that there would be no tax rate increase. The base tier minimum utility rates would have a net increase of \$6.35. The water rate would increase by \$11.40 but the wastewater rate would decrease by \$5.05. This was due to the including of approximately \$93K of the water tower debt service in the wastewater rate in previous years. This issue was discovered recently and reallocated to the correct account. Effective July 1st, the Utility Clerk position would become a part-time position due to a decrease in the number of people coming into the office to pay. The new hours would be Tuesday through Thursday from 8:00 AM – 5:00 PM. A drop box was located outside for people to deposit their payment and a bell would be placed downstairs for anyone needing assistance on Mondays and Fridays. The proposed budget was available for viewing on the Town's website.

Motion made by Councilman Bennett, seconded by Councilman Veber to adopt the proposed FY 2011/2012 budget as presented. The motion was approved by unanimous consent.

C. *Harbor Bath House Design Build:*

Bob Panek stated that staff and Council had been working on Bath House bids over the past several months. The first bid came in at over \$900K. Staff and Council agreed to split the project which was put out for bids but the bids received for the Bath House were still over the budgeted amount. Staff reviewed the Bath House design and identified several changes which could be made to further reduce the cost; however, the cost of redesign was expected to be over \$40K and there was no assurance that the project would remain within the available funding from the Boating Infrastructure Grant if the Town competitively bid construction after paying the redesign costs. The Harbor development costs were already stressing available funding sources. The engineer suggested a design-build which had a very strict procedure outlined in the Code of Virginia which stated that a competitive negotiation of a design-build construction contract could be utilized if it was considered more advantageous. As the Town had severely constrained funding available to redesign and build the Bath House, the design-build process provided the control necessary to remain within budget and was thus considered more advantageous than the traditional design, bid and build process. In order to initiate the design-build process, a resolution needed to be adopted. The Town would be able to negotiate with two or more bidders to reach the final bid. There would still be design costs but they would be included in the bidder's pricing. Bob Panek stated that he was not aware of the Town using this process in the past.

Councilman Bennett asked whether a budget for the project needed to be established before moving forward with this process. Bob Panek responded that he did not think it was a requirement of the law but the Town's budget was about \$343K which was the amount of the Boating Infrastructure Grant. Councilman Bennett stated that he would like to see the exact amount in writing to which Bob Panek responded that it could be added to the resolution.

Councilman Bennett went on to state that he did not see where the design would have to go through the Harbor Area Review Board process adding that he felt it needed to be included and that the bidders needed to be made aware of this requirement. Bob Panek stated that the requirement would be included in the Request for Proposal (RFP) criteria but could also be added to the resolution. Tom Bonadeo added that the Harbor Area Design Guidelines would be included in the RFP information so the bidder had the criteria when putting together the proposal. The information from the proposal would be brought back to Council for their review and approval.

Mayor Sullivan moved for adoption of Resolution # 20110609 Design-Build Contract for Bath House Construction with the changes noted by Councilman Bennett to add i) the total project

budget of \$343,977 and ii) compliance with the Harbor Area Design Guidelines and approval by the Harbor Area Review Board and Town Council. Resolution #20110609 was adopted by unanimous vote. Roll call vote: Bannon, yes; Bennett, yes; Evans, yes; Natali, yes; Sullivan, yes; Veber, yes.

D. *USDA Grant Application for Police Car:*

Heather Arcos stated that the FY 2011/2011 Budget included the first of four yearly lease payments for a new police car. On May 31st, she and Bob Panek met with Ms. Peggy Jordan, Area Specialist with the USDA Rural Development, regarding possible grant / loan opportunities for the well connections. During this discussion, Ms. Jordan indicated there was a grant opportunity for emergency / police vehicles covering 75% of the total cost, including equipment, with a 25% Town match. This grant could save the Town the amount of the future lease payments or 75% of the cost of a new vehicle. The Town would have to purchase the vehicle vs. lease but the savings would be significant. Police Chief Charles Brown added that the new vehicle would cost the Town approximately \$8K vs. \$7K in this year's budget but the Town would be getting a \$32K vehicle for \$8K. Heather Arcos stated that if the Town received this grant, the grant contract would be brought back to the Council for their review and approval.

Motion made by Vice Mayor Bannon, seconded by Councilman Bennett, to authorize the Town Manager to submit a grant application to the USDA rural Development for the purchase of a new police car and equipment. The motion was approved by unanimous consent.

E. *Cape Harbor Conditional Use Permit Extension 2011:*

Tom Bonadeo informed the Council that he had received a letter from Landmark Holdings US requesting an extension of their Conditional Use Permit (CUP) for the Cape Harbor Project. The initial CUP was approved by Council in a Resolution dated July 9, 2009. In June 2010, Council approved a one-year extension to the CUP so the Harbor Area Review Board application process could continue. The Town had no supporting evidence of any further work being performed on this project since the Harbor Area Review Board reviewed the General Application. No correspondence had been received from the architect or Landmark Holdings regarding continued work on the site or the Detailed Application. Staff could not substantiate any Building Permits, Water or Wastewater Connection Fees nor have any complete plans been submitted during this past year.

Councilwoman Natali asked whether the real estate taxes had been paid. Tom Bonadeo stated that the 2009 and 2010 taxes had not been paid to either the Town or to Northampton County. The Town Code required taxes be paid before initiation of an application but no mention regarding extension of an existing application. Tom Bonadeo went on to state that he had requested clarification from the attorney but had not received a response as yet. Councilman Veber stated that the letter from Landmark Holdings stated that the money would be paid this week. Jo Anna Leatherwood responded that the applicant promised to pay a portion of the taxes this week and the balance, including the 2011 taxes, by December 5, 2011. No payments had been received as yet.

There was some discussion regarding the language in the Town Code and Tom Bonadeo stated that Council could extend the permit for an additional year with good cause or if the permit had been acted upon. Council needed to decide if a good faith effort had been made during the past year.

Motion made by Vice Mayor Bannon, seconded by Councilman Bennett, to deny the extension request from Landmark Holdings US for the conditional use permits for the Cape Harbor Project.

Councilman Bennett stated that he was totally in favor of this project from the beginning and lobbied hard for its approval and wanted to see the project move forward but based on everything that had happened in the past year, not only had the project not moved forward, but he seriously thought that the project had moved backward and he saw no evidence to extend the CUP.

Mayor Sullivan added that she believed that one year ago, the Council unanimously approved the one-year extension as a good will gesture.

Councilman Evans stated that in the past there was some confusion regarding whether he had a conflict of interest in this issue since he had purchased a lot from the applicant and he would abstain from voting on this issue, even though he was prepared to vote, if the Council felt it was appropriate for him to do so. Councilman Veber stated that the attorney general ruled that there was no conflict so there was no reason for Councilman Evans not to vote on this issue.

The motion to deny the Conditional Use Permit extension request was approved by unanimous consent.

OLD BUSINESS:

A. *Town Code Modification – Golf Cart Ordinance:*

Tom Bonadeo stated that over the last several months Council had reviewed the modifications to the Golf Cart Ordinance. A public hearing was held earlier this evening and no objections or recommendations were received from the citizens of Town. The modifications were made in the following areas: i) the cost of the golf cart decal had been deleted; ii) numerous duplications were removed; iii) non-relevant requirements were removed; and iv) the seat belt requirement was left in based on staff research. Tom Bonadeo reviewed an alternative text change regarding requiring a golf cart inspection for the initial registration only to make the renewal process easier and added that he heard from golf cart owners stating that they had experienced difficulty in getting the golf carts inspected in order to purchase their annual golf cart decal.

Motion made by Vice Mayor Bannon, seconded by Councilwoman Natali, to adopt the modifications to the Golf Cart Ordinance as advertised.

Councilman Bennett stated that the staff report showed that the objective of this review was to make the ordinance more citizen-friendly and he felt that this objective was accomplished. The staff report also stated that the ultimate objective was to make the use of golf carts for Cape Charles safer for everyone and he did not feel this objective was met. In his opinion, nothing was done regarding meeting the safety objective. Councilman Bennett requested a vote vs. a unanimous consent acceptance of this item.

The motion was approved by majority vote with Councilmen Bennett and Evans opposed.

B. *Tall Ships Initiative:*

Heather Arcos stated that on April 14, 2011, Council adopted a Resolution to Endorse and Support Operation Sail (OpSail) 2012 and a Tall Ships Economic Development Initiative for the Eastern Shore of Virginia. The Northampton County FY 2011/2012 budget had been adopted and included \$55K for the Tall Ship Initiative and the County was asking that the Town also commit to this initiative financially in addition to the cost of staff time and service but a dollar amount was not specified. Staff was working on cost estimates of time for all involved departments as well as the cost of dockage and utilities at the Harbor. The estimated costs to the Town for staff time, security, dockage, trash, utilities, etc. was approximately \$3,500 for the Kalmar Nyckel visit but staff was still working through the details and this figure could change.

Heather Arcos reviewed several possible options for the Town's financial commitment as follows: i) \$5K was included in the Town Manager's FY 2011/2012 budget for unspecified use.

A portion of this could be used; and ii) A percentage of the Transient Occupancy Tax (TOC) could be used. Currently the Town assesses a 3% TOC with 1% going to the ESVTC. In 2008, \$7K went to the ESVTC. In 2009, the amount was \$13,919 and in 2010 the amount was \$8,574. To date in 2011, the amount was \$6,767. These figures were in addition to the \$5K given to the ESVTC each year by the Town for the Welcome Center.

Councilman Bennett asked what the County based the \$55K figure on. Heather Arcos stated that the County used \$20K from the Tourism Infrastructure Grant Program, half of the 1% TOC which amounted to \$25K, and \$10K which had been allocated for the ESVTC. Heather Arcos went on to state that she asked Ms. Nunez what dollar amount the Board of Supervisors were looking for. As the Tall Ship Initiative grew, the cost to the Town would also increase. Councilman Bennett stated that the Town and its businesses would benefit from the ships coming into the Harbor. Heather Arcos stated that if the initiative worked, the town could possibly see future funding from the County. Councilwoman Natali added that it was important to be able to measure the success rate of this initiative and whether the tall ships were visiting the Harbor as a result of the initiative and not because of the Harbor staff, etc.

Heather Arcos informed Council that she had met with County Administrator Katie Nunez and Donna Bozza, Executive Director of the ESVTC and the County had asked the ESVTC to spearhead this initiative since it was tourism related. The EXVTC was considering this proposal and a committee had been formed to explore all the aspects of OpSail 2012 and make plans for the event. The ESVTC was expected to notify the County of their decision next week.

Councilwoman Natali added that in the past, the ESVTC had stated that they could not focus on one particular area / town but had to serve the entire Eastern Shore. This project seemed to be contradictory of that statement.

Vice Mayor Bannon stated that Cape Charles contributed funds to the ESVTC every year in addition to the 1% TOC and was the only town on the Eastern Shore that gave money consistently every year. There was some discussion regarding the funding provided to the ESVTC from Accomack and Northampton Counties.

Councilman Evans stated that he felt that the Tall Ships Initiative would feed on itself and get bigger and hoped that the merchants in Town would be open longer hours, etc. to accommodate the increased visitors. Councilman Evans added that he did not think that the ESVTC was compromising its statement and that the ESVTC needed to concentrate on specific activities at the various locations on the Eastern Shore and the Tall Ships could not be accommodated by other Towns such as Exmore. The ESVTC branding of the Eastern Shore was spreading and paying off.

Councilwoman Natali stated that she wanted to make sure that the results could be measured and did not think that the initiative should be spearheaded by the ESVTC. Heather Arcos responded that the County wanted the ESVTC to do so. Councilman Evans added that they initially wanted the Town to spearhead the initiative, but the Town could not do so.

Mayor Sullivan stated that if she could vote, she would recommend \$5K for this initiative. If the Town could get the people here, we would all benefit. Councilman Veber agreed that it was a good investment and by getting the people here, they would spend their money and possibly even buy property, etc.

Motion made by Vice Mayor Bannon, seconded by Councilwoman Natali, to make a financial commitment of \$2,500 towards OpSail 2012 and the Tall Ships Initiative. The motion failed by a two-four vote. Vice Mayor Bannon and Councilwoman Natali voted in favor and Councilmen Bennett, Evans, Sullivan and Veber voted against.

Motion made by Councilman Veber, seconded by Councilman Evans, to make a financial commitment of \$5K towards OpSail 2012 and the Tall Ships Initiative. The motion was approved by unanimous vote.

OTHER BUSINESS:

Mayor Sullivan stated that she would be leaving the country on June 20th for three weeks and handed the gavel to Vice Mayor Bannon.

ANNOUNCEMENTS:

- June 11, 2011 – Book Sale at the Library from 10AM – 2PM. A professional face painter and Sandy's Candy would also be there and ice cream would be available.
- June 11, 2011 – Citizens for Central Park Meeting at 2PM
- June 23, 2011 – Town Council Work Session @ 6PM
- June 25, 2011 – Cape Charles Harbor Party
- July 2, 2011 – Cape Charles Volunteer Fire Dept 4th Annual Seafood Festival
- July 3, 2011 – July 4th Activities – Fireworks at Dusk
- July 4, 2011 – Town Offices Closed in Observance of Independence Day
- July 14, 2011 – Town Council Regular Meeting @ 6PM
- July 16, 2011 – Cape Charles Harbor Party
- July 28, 2011 – Town Council Work Session @ 6PM

Motion made by Councilwoman Natali, seconded by Councilman Bennett, and unanimously approved to adjourn the Town Council Regular Meeting.

Mayor Sullivan

Town Clerk



DRAFT
TOWN COUNCIL
Special Meeting

Town Hall
June 23, 2011
6:00 PM

At 6:03 p.m., Vice Mayor Chris Bannon, having established a quorum, called to order the Special Meeting of Town Council. In addition Vice Mayor Bannon, present were Councilmen Evans and Sullivan and Councilwoman Natali. Mayor Sullivan and Councilmen Bennett and Veber were not in attendance. Also present were Town Manager Heather Arcos, Director of Public Works / Utilities Dave Fauber, Town Planner Tom Bonadeo, Town Treasurer Jo Anna Leatherwood and Town Clerk Libby Hume. There were no members of the public in attendance.

Heather informed Council that Councilman Bennett emailed her this morning to explain that he had been called out of town on unexpected business. Councilman Veber had a death in the family and was on his way to Chicago.

A. *Contract Award for Public Works Maintenance Building*

Heather Arcos stated that on May 17th the Historic District Review Board (HDRB) reviewed the proposed materials and design of the steel building for the Public Works Maintenance Building. The HDRB approved the building with the addition of 2' overhangs on all sides, a painted metal roof with a 4/12 pitch and colors compatible with the surrounding landscape. Heather Arcos reviewed the color selections and showed samples on the color chart. The roof color would be burnished slate, the wall and corner trim would be light stone and the frame opening trim would be white. Heather Arcos added that the Town would look at adding landscaping, etc. in the future. Councilwoman Natali stated that she was surprised that such a dark color was chosen for the roof adding that it would be hot in the summer. Tom Bonadeo explained that the roof would have 4" insulation which would help with the temperature.

Councilman Evans asked if the building would be used strictly for equipment storage to which Dave Fauber replied that initially it would be used for storage but there were plans to create an office in the building for the foreman as well as a lunch room for the crew. The Town would continue using the Quonset hut as the shop.

Heather Arcos explained that there would be two separate bids because the funding was coming from two different budget years. The cost of purchasing the building would be funded from the FY 2010/2011 budget and the cost of installation would be funded from the FY 2011/2012 budget. Arco Building Systems, Inc. was the lowest bidder for both the building and installation. Their bid for the building was \$28,293 and installation was \$9,282. Dave Fauber added that the contract for the installation would be with Jacob Brothers Contracting, Inc. who was affiliated with Arco Building Systems, Inc. The Town would either contract with a local company to install the slab or do it in-house.

Motion made by Councilman Sullivan seconded by Councilwoman Natali to award the contract to purchase the steel building to Arco Building Systems, Inc. at a cost of \$28,293 and the contract to erect the building to Jacob Brothers Contracting, Inc. at a cost of \$9,282. The motion was approved by unanimous vote.

B. *Adopt Ordinance for Town Code Modifications to Golf Cart Ordinance*

Tom Bonadeo stated that Council approved the proposed modifications to Town Code Sections 42-31 and 42-49 through 42-56 at the June 9th Regular Meeting. In order to officially adopt any changes to the Town Code, an Ordinance must also be adopted. This process was inadvertently omitted at the June 9th meeting. Staff requested Council adopt Ordinance 20110623 To Modify Cape Charles Town Code Sections 42-31 and 42-49 through 42-56 – Golf Cart Ordinance.

Councilman Evans expressed his concern regarding Section 42-51 (1) requiring lights only if the golf cart would be driven between sunset and sunrise adding that he felt it was a safety issue and lights should be required in all cases. Tom Bonadeo explained that typically, golf carts did not have brake lights since they were used on golf courses and the Town had never mandated lights but added that very few golf carts in Town did not have lights installed. Vice Mayor Bannon added the he had not seen or heard many golf carts out at night.

Councilman Evans went on to express his concern regarding Section 42-51 (5) which required a speed governor if gasoline powered and asked why the Town did not state the maximum speed allowed for a golf cart in the ordinance and why it was required only for gasoline powered carts. Councilwoman Joan Natali pointed out that Section 42-52 (1) stated that the golf carts could only travel on streets with speed limits up to 25 MPH so the maximum allowable speed would be 25 MPH. Tom Bonadeo explained that the Town did not dictate the speed for the governor since there was no way to confirm it. If a golf cart is caught going over 25 MPH, the police officers could issue a speeding ticket. Tom Bonadeo added that if a gas powered golf cart was going downhill, as on the hump, it would pick up speed unless there was a governor to control the speed.

There was much discussion regarding both issues and Councilman Evans stated that he felt they were safety issues and that the ordinance was too vague. Heather Arcos stated that Police Chief Charles Brown had reviewed the modifications and did not express any concern regarding these issues and explained that these sections of the Town Code were already approved at the June 9th meeting and if additional changes were made, the Town would have to hold another public hearing before these additional changes could be approved. Councilman Evans stated that he would vote to approve the current ordinance but felt that the Town should begin work to make these additional changes.

Vice Mayor Bannon moved for adoption of Ordinance # 20110623 To Modify Cape Charles Town Code Sections 42-31 and 42-49 through 42-56 – Golf Cart Ordinance. Ordinance #20110623 was adopted by unanimous vote. Roll call vote: Bannon, yes; Evans, yes; Natali, yes; Sullivan, yes.

C. *Line of Duty Act Resolution*

Heather Arcos informed Council that the Virginia State General Assembly mandated that effective July 1, 2011 all localities would be responsible for paying the Line of Duty Act (LODA) obligations for paid and volunteer emergency services personnel to include law

enforcement, fire and rescue, etc. In the FY 2011/2012 Budget, Council included funding for the five police officers and the active volunteers in the Cape Charles Volunteer Fire Company (CCVFC). Recently, County Administrator Katie Nunez notified the Town that the County would pay the cost for all volunteer fire fighters in Northampton County. The County would probably request a contribution from the Town towards payment for the CCVFC for FY 2012/2013 but County had funded this item for the upcoming year.

Heather Arcos asked Council whether they had a chance to review the letter from County Administration Katie Nunez regarding the County's decision on this matter and went on to state that staff researched the option of staying with the current LODA Fund which was administered by the Virginia Retirement System for the State of Virginia and explained that many localities were opting to participate in an alternate program through the Virginia Municipal League (VML). In order to participate in the alternate program, the municipality cannot have any outstanding unresolved claims. Since there were no unresolved claims, the premium costs were less than the premiums for the LODA Fund. At this time, staff felt that the VML program was the best option for the Town and recommended adoption of a Resolution to opt out of the LODA Fund.

There was some discussion regarding the vagueness of the VML FAQ sheet which was included in the agenda packet. Councilman Sullivan expressed his concern that for many questions the answer was "LODA provides no statutory guidance."

After further discussion, Vice Mayor Bannon asked the Council their consensus with the VML program.

Hearing no objections, Vice Mayor Bannon moved for adoption of Resolution #20110623 Irrevocable Election Not to Participate in Line of Duty Act Fund. Resolution #20110623 was adopted by unanimous vote. Roll call vote: Bannon, yes; Evans, yes; Natali, yes; Sullivan, yes.

D. *Technology Zone*

Heather Arcos stated that the Technology Zone and Tourism Zone items were included as action items on the agenda in case Council felt ready to set a public hearing, but since several members were absent and in light of the letter from South Port, she was recommending that these topics be for discussion only at this meeting. Tom Bonadeo agreed that he did not think these ordinances were ready for public hearing and that more input was needed and that he would prefer to forward the completed ordinances to Vandeventer Black for their review before moving forward with a public hearing.

Tom Bonadeo stated that the Planning Commission had reviewed Technology Zone language from 21 localities in order to develop this draft. Tom Bonadeo reviewed the proposed ordinance by section explaining the reasoning behind each item. Tom Bonadeo added that once the Town's ordinance was finalized, he would like to lobby Northampton County to adopt a similar ordinance since the Town's taxes amounted only to approximately one-third of the total taxes. Heather Arcos stated that she had talked to County Administrator Katie Nunez who informed her that the County did not have anything in place but would review the ordinance once it was finalized.

The Council reviewed the letter from South Port Investors. Concern was expressed whether boat building and marine equipment production could be defined as technology businesses. These terms were vague and could include the manufacture of ropes or anchors which would not be considered as technology businesses. There was some discussion regarding permitting a boat building operation in Town and Councilwoman Natali stated that several years ago, she thought the Town denied permission for a boat building operation but at the time had agreed to allow the individual to bring in pre-made boat hulls for completion and outfitting. There was some discussion regarding what constituted technology and why call the zone a technology zone if boat building, etc. was included. It would be more appropriately called a manufacturing zone. Tom Bonadeo stated that Technology Zone was not defined in the Code of Virginia and added that, as an administrator, it could be difficult to justify the inclusion of a boat building business in the technology zone.

There was also much discussion regarding the request to reduce the threshold for a non-manufacturing business from 25 new full-time employees with a \$1M capital investment to three or five full-time employees with a capital investment of \$25K or \$50K. The consensus was that the investment of \$50K and three to five employees was not considered a significant investment to qualify for possible incentives.

E. *Tourism Zone*

Tom Bonadeo reviewed several Tourism Zone scenarios explaining that the investment amounts were less due to the types of businesses being more retail or service related.

Councilman Sullivan asked what would happen if a business qualifying for either the Technology or Tourism Zone incentives opened in Cape Charles and met the criteria for the first year but failed to meet the criteria for following years. Tom Bonadeo stated a procedural manual would be developed vs. putting all the details in the Code. Tom Bonadeo went on to explain that an annual review would be completed by the administrator to ensure that all criteria had been met. Councilwoman Natali suggested a different percentage for incentives each year. Tom Bonadeo stated that some localities added incentives if a business added employees. If the business went below the minimum number of employees, it would lose the grant. Tom Bonadeo recommended starting at 50% incentives for the minimum number of employees increasing the percentage as the number of employees increased. The City of Winchester gave 100% the first year, 80% the second year, 60% the third year, etc. The Planning Commission had reviewed ordinances from a number of localities and most seem to decrease the percentage each year. Heather Arcos stated that these ordinances should not be finalized and sent to public hearing until the procedures had been written and put in place.

Vice Mayor Bannon stated that the contract would have to be specific in detailing the number of employees, the investment, etc. Councilman Sullivan agreed.

There was some discussion regarding the concession to Bayshore Concrete under the Annexation Agreement in the form of a reduced tax rate. Tom Bonadeo explained that the reduction was for a period of 10 years which had expired. Councilman Evans stated that after the expiration of the 10 year-period he believed Council had voted to reduce the rate for the machinery and tool tax. Jo Anna Leatherwood stated that manufacturing businesses had reduced rates which were stated in the Town Code. Heather Arcos added that staff could review the old Town Council minutes from that period but it would be beneficial to have a timeframe since the old minutes were not available in electronic form and not easy to search.

There was some discussion to determine the timeframe for this rate reduction. Libby Hume would check the minutes from 2001 and 2002.

Tom Bonadeo summarized the evening's discussions as follows: i) \$25K - \$50K too small of an investment to qualify for incentives; ii) declining scale of incentives; iii) annual review of the business under this grant program; iv) look at increasing grants to stimulate business; v) look at operations manual and contract requirements prior to scheduling a public hearing; vi) legal review of the ordinance, operations manual and contract requirements; and vii) obtain input from Councilmen Bennett and Veber who were unable to attend this evening's meeting.

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

Vice Mayor Bannon

Town Clerk

DRAFT

Town Manager Report
Highlights
June 10, 2011 – July 7, 2011

July 4th Weekend Recap

- It was a great July 4th holiday weekend in Town! There were various activities and vendors at the beachfront which brought lots of visitors into Town. The weather was perfect and the beach was packed with people!
 - The Public Works crew did a great job in cleaning the beach for the holiday weekend.
 - A huge thank you to the Public Works and Harbor staffs, the Recreation Coordinator and members of the Police Department for all their hard work over the holiday weekend. Lots of compliments have been received.
 - The fireworks display was beautiful and the Town has received tremendous feedback from attendees.
 - Police Chief Charles Brown estimated approximately 5K people were in Cape Charles over the weekend.

Landscaping at Cape Charles Entrance at Route 13

- We are working with VDOT to obtain approval of the landscaping plan proposed by Bay Creek.
- Bay Creek is planning to begin planting in the fall.

Harbor Development Update

- At the June meeting, Council approved moving forward with a Design-Build approach for the Bath House at the Harbor.
 - A committee, comprised of Harbor Master Smitty Dize, Town Planner Tom Bonadeo, Code Official Jeb Brady, Tom Langley of Langley & McDonald, Bob Panek and myself, will be working on the process and reviewing the Request for Qualifications (RFQ) which will be advertised at a later date.
- The Town received verbal notification that it was awarded an additional \$50,718 from the Virginia Department of Health Boating Infrastructure Grant. These funds were from unspent grant monies previously awarded to other localities and had to be reallocated by June 30th. The Town has requested reimbursement for the cost of the installation of electrical service for the new slips and proposed bath house with the balance being used toward the \$200K water line upgrade at the Harbor.

Mason Ave. Force mains and Sewer Project Update

- Work continues on the Mason Avenue Force mains and Pump Station Upgrade. The contractor was able to complete the initial layer of asphalt along Mason Avenue in time for the July 4th holiday weekend.

Pump Station Emergency Generators

- The generators are expected to arrive soon to be installed in the Plum and Pine Street Pump Stations.

Central Park Trail Project Update

- The final payment to the contractor is in process with deductions made for the fountain, concrete patch on the sidewalk and boring of piping at the South entrance to address BMP issues.

Golf Cart & Bike Path

- The Golf Cart Path enabling golf cart accessibility between the Historic District and the Bay Creek Golf Community has been completed and the signage has been placed.
- Community Group, the homeowners association for Bay Creek, is working with the Bay Creek property owners to connect to the Town's Golf Cart Path along the front of the Bay Creek Resort property.

Technology / Tourism Zone

- A Council Work Session was held on 6/23 and work continues on these ordinances. An Operations Manual and contract requirements would be developed prior to moving forward with approval of the new ordinances.

Virginia Tourism Corporation Marketing Leverage Program

- The Town, Northampton County, Bay Creek Resort & Club, Sunset Beach Resort and Sunset Grille, the Northampton County Chamber of Commerce, Chatham Vineyards, and YMCA Camp Silver Beach have partnered to apply for the Marketing Leverage Grant as a regional marketing effort targeting the Hampton Roads Region. Northampton County is the lead partner in this effort and the grant application was submitted on June 29, 2011.
- A meeting will be scheduled with the Cape Charles business owners in August to get them on board.
- This is an agenda item and more details will be provided during the meeting.

Tall Ship Initiative / OpSail 2012

- Heather Arcos and Smitty Dize are working with Norfolk Festevents to be named an affiliate port for OpSail 2012.
- The Town is working with Northampton County and the Eastern Shore of Virginia Tourism Commission (ESVTC) regarding this initiative.
- Heather Arcos attended the Northampton County Board of Supervisors (BOS) Meeting on June 27th for their discussion regarding the initiative. The BOS accepted the Town's financial contribution of \$5K towards this initiative along with our in-kind services. The BOS tabled their decision regarding the County Administrator's recommendation of having the ESVTC spearhead the planning efforts of this initiative for a year.

Lynne Lochen – Virginia Tourism Corporation

- On June 16th, Lynne Lochen gave a great presentation to the Cape Charles Business owners.
- Invitations were hand-delivered to all business owners but unfortunately, only a handful of businesses were represented.

Request for Proposals for IT Services

- An RFP has been finalized and was advertised in the July 2nd edition of the Eastern Shore News and on the Town's website. A pre-bid meeting is scheduled for July 11th at 2PM. The deadline for proposals is July 18th at 2PM.

Veterinary Services

- Several months ago, the Town was working with Ms. Nelson, a veterinarian who was interested in coming to Cape Charles on a monthly basis to provide basic veterinary care to pet owners on the lower Eastern Shore. The Town was unable to locate a temperature-controlled location for Ms. Nelson to set up her practice.
- Recently, the Town was notified that Ms. Nelson had purchased a mobile veterinary van and was still interested in providing veterinary services to the Cape Charles area. Heather Arcos is working with Ms. Nelson and specific information on the available services, dates and location will be provided soon.

Cape Charles 125th Anniversary Celebration

- Planning is underway for this month-long celebration which will begin August 5th.
- The Town is working in conjunction with the Citizens for Central Park, the Cape Charles Business Association, the Cape Charles Historical Society and various other entities in putting the celebration together.
- A schedule of activities will be finalized and made available shortly. Information will be posted on the Town's website and a Special Edition Gazette will be published.
- This celebration will coincide with the Chesapeake Bay Buy Boat Reunion which will be held at the Cape Charles Harbor on August 5th – 8th.

Topics for Upcoming Work Sessions:

- Presentation by Liz Povar, Virginia Economic Development Partnership – *July 21, 2011*
- Town Code Modifications:
 - Animal Ordinance
 - Nuisance Ordinance – *tentatively set for July 28, 2011*
 - Sanitation Ordinance
- Future location for the Cape Charles Memorial Library – *tentatively set for July 28, 2011*
- Personnel Policy Review by Section
- Review of Harbor Master Plan

Recreation Department July Council Report

1. Attendance is up for all programs all over town. The first arts and crafts of the summer had over 30 kids and the numbers have been steady every week. We have painted castles, knights, princesses and made sun catchers. Last week the kids made wind chimes out of paper cups and shells. We have had locals and guests visit each week.
2. Cheerleading started off slow since many churches had bible school the same week it started but the numbers are growing every week. The kids are all having fun. We had planned to be in the July 4th parade but have decided to wait until the August 6 parade to give the kids more time to practice.
3. July 4th festivities were a big hit once again. We had nine volleyball teams and over 20 horse shoe and corn hole teams. Kids were lined up forever for the fishing tournament.
4. The numbers for teen night were not as high as they have been this past month but there were some conflicting events that night. For July we had planned to have a dance but the kids have requested a soccer tournament.
5. The recreation department sponsored Sandy's Candy's for the June 11 book sale. 18 children participated.
6. The New Roots Community Garden committee has been working very hard. Our first event will be an Open House on July 30. We are raising funds to continue our building projects by holding a cash raffle. Tickets will be sold for \$5 and the prizes will include \$500, \$250 and \$100. The Rotary has donated the money to build the shed and you should see that starting any day. Bill Payne donated the signs currently on site until enough money can be raised for more permanent signs. Jen has fielded many questions from the public and is happy to share any information with any person(s) who have and interest.
7. The 125th Celebration should be final and you will start seeing posters out and about within the next week. There will be a month long of festivities. The kick off will be August 5 with the Buy Boats Reunion and will continue through Labor Day weekend.

Cape Charles Memorial Library

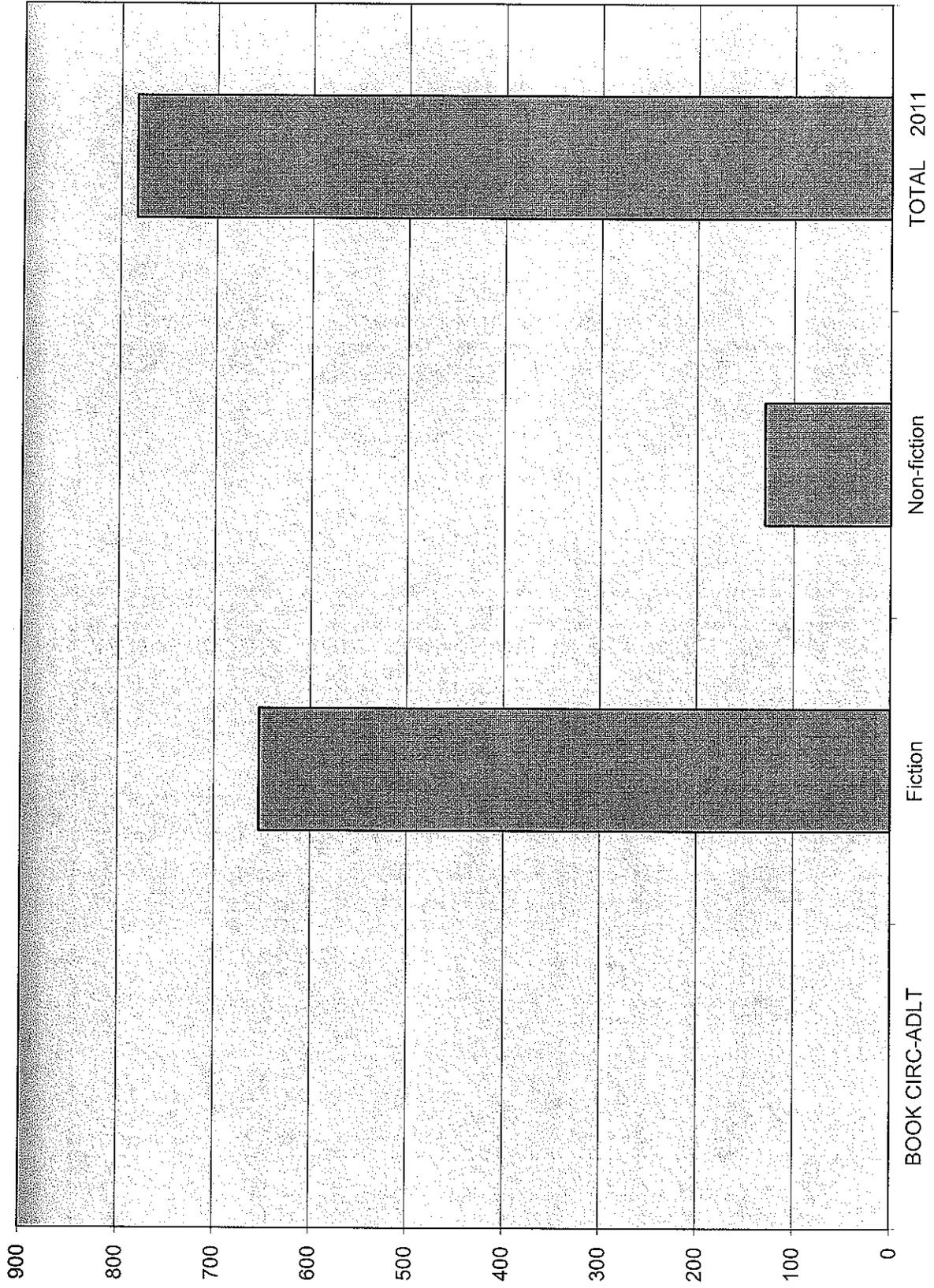
June 2011

Monthly Report Presented by Ann Rutledge

1. **Toddler/Preschool Storytime** was held on Thursday at 10:30 and a total of children and caregivers 87 attended this month.
2. The book displays for this month featured books for children and adults on folk tales, fairy tales, and books of fantasy to support our Summer Reading Program theme **Amazing Tales at Your Library**.
3. On Saturday, June 11 from 10 a.m. to 2 p.m. the **Friends of the Cape Charles Memorial Library** sponsored a professional face painting artist and an eatable art activity in conjunction with a **Book Sale** outside the Library, located at 500 Tazewell Avenue in Cape Charles. Lisa from the Freedom Farm Dairy brought her **Sandy's Candy** to the front steps of the library.
4. The **2011 Summer Reading Program, Amazing Tales at Your Library** began on June 15 with the movie Tangled at 5:00 at the Library. Each week Storytime features a tale of castles, kings and queens, knights and dragons. We have had record numbers attending **Crafts, Wednesday Night Movies, Storytime and our special programs**. All special programs are funded by the Friends of the Cape Charles Memorial Library. 8. For additional information about Library programs and library related information check out the Cape Charles Memorial Library's Facebook page!
5. Our seven public computers have been very busy as well as wifi use.

Cape Charles Memorial Library

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	YTD
INCOME:							2011						
Donations	\$2.00	\$5.00	\$3.00	\$2.00	\$5.00	\$6.00							\$23.00
Copier/Prt	\$60.90	\$23.90	\$55.00	\$107.50	\$74.00	\$96.00							\$417.30
TOTAL	\$62.90	\$28.90	\$58.00	\$109.50	\$79.00	\$102.00							\$440.30
Deposit	\$62.90	\$28.90	\$58.00	\$109.50	\$79.00	\$102.00							\$440.30
BOOK CIRC-ADLT													
Fiction	653	556	695	719	659	714							3,996
Non-fiction	130	130	151	148	138	153							850
TOTAL 2011	783	686	846	867	787	867							4,836
Books Circ. 2010	685	708	633	658	610	857							4,151
BOOKS CIRC-JUV													
Fiction	487	356	465	600	414	578							2,900
Non-Fiction	150	149	136	154	133	102							824
TOTAL 2011	637	505	601	754	547	680							3,724
Books Circ. 2010	463	452	531	579	486	776							3,287
TOTAL BOOK 2011	1420	1191	1,447	1,621	1,334	1,547							8,560
TOTAL BOOK 2010	1148	1,160	1,237	1,237	1,096	1,633							7,511
Attendance 2011	1,072	1,048	1,236	1,334	1,045	1,438							7,173
Attendance 2010	742	732	995	1,060	1,535	1,392							6,456
Programs 2011	7	7	5	5	5	16							45
Programs 2010	4	7	7	5	4	9							36
Prog. Attend 2011	274	90	50	51	88	327							880
Prog. Attend 2010	8	60	41	22	29	155							315
Internet use 2011	471	401	483	612	572	842							3,381
Internet use 2010	428	385	375	713	941	746							3,588
Library Cards 2011	4	12	6	19	10	11							62
Library Cards 2010	8	8	15	15	17	45							108



Harbor Report

June, 2011.

Maintenance

1. Staff continued working on flower beds and garden
2. Staff replaced a couple of fuel fittings.
3. Staff re-nailed dock boards and will continue all summer.
4. Staff continued with basic upkeep.
5. Staff place safety ladders on new floating docks
6. Staff Numbered new slips.

Upcoming, Scheduled Maintenance

1. Continue basic maintenance.

Capitol Projects:

1. There are a few punch list items that are left on the new docks, Relocate a couple of electric pedestals, hand rails on the east ramp (Town Staff To Complete), Add back flow preventers to water valves, which should soon be completed.
2. Continuing to work on bath house project.

Other:

1. The Harbor is now open Monday – Thursday (8am to 6pm) Friday – Sunday + Holidays (7am to 7pm).
2. Follow us on Face Book (**Cape Charles Town Harbor**) Pictures of the slip construction will be posted weekly.

Incidents:

1

Notes:

8th Annual Buy Boat Reunion, August 5th, thru the 8th 2011.

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

Harbor Report

June, 2011.

Business:

Average docking per day/night by category:

<u>Rentals</u>	<u>June</u>	<u>May</u>	<u>10/11</u>	<u>9/10</u>
1. Hourly:	0.1	0.5	0.3	0.0
2. Nightly:	4.6	4.4	1.6	1.4
3. Weekly:	9.2	11.0	7.0	7.6
4. Monthly:	1.3	0.0	8.0	11.9
5. Quarterly:	2.0	0.0	1.0	0.0
6. Seasonal:	13.0	10.0	7.1	8.5
7. Annual:	42.0	40.9	32.8	25.5
8. Total Rentals,	72.2	67.8	57.8	55.0

Wharf Fees by Pounds:

	<u>June</u>	<u>May</u>	<u>10/11</u>	<u>9/10</u>
1. Crabs:	171,810	295,155	1,419,795	1,429,920
2. Fish:	26,200	3,750	534,616	501,141
3. Conchs:	9,685	8,905	90,317.5	73,580
4. Horse Shoes:	7,960	0	7,960	63,280
5. Gravel:	0	0	1,000,000	0
6. Clams	18,000	0	18,000	0
7. Oysters	12,000	0	12,000	0
8. Conch Pots	0	0	14,000	0
9. Crab Pots	0	0	121,920	0
10. Lg. Trap Piles	0	0	0	414,000
11. Sm. Trap Piles	0	0	21,280	0
12. Total Pounds:	245,655	307,810	3,239,888.5	2,481,921

<u>Waiting List:</u>	<u>5/31</u>	<u>Registered</u>	<u>Removed</u>	<u>6/30</u>
1. 60ft Slips:	2	0	0	2
2. 50ft Slips:	2	0	0	2
3. 45ft Slips:	9	0	2	7
4. 36ft Slips:	6	2	0	8
5. 30ft Slips:	23	0	0	23
6. 24ft Slips:	20	0	0	20
7. 20ft Slips:	10	0	0	10
Total	72	0	0	72

William Smith Dize Jr.
 Harbor Master
 July 1, 2011

PUBLIC WORKS

June 2011

Dump Fees

- **Oyster Landfill** –9 Trips Work Orders Open: 2
- **Sludge**- 5 Tons Work Orders Completed: 22

Staff Report

Completed Projects

- Worked a very busy 4th of July. Decorated Beach Gazebo, installed horse shoe pits.
- Installed Cart Path along Old Cape Charles Road from Bayshore Road intersection to Bay Creek property. Tourism Commission grant money.
- Patched asphalt road cuts on Mason and Randolph Avenues.
- Contracted for delivery of new Public Works building with Arco systems.
- Selected contractor for Municipal Building repairs, C.A. Lindman Inc., out of Jessup, MD.

In Progress

Upcoming Projects

Special Events

- Buy Boats coming to Cape Charles Harbor Aug 5-8

PUBLIC UTILITIES

June 2011

Work Orders Completed

- Miss Utility Tickets: 24

Staff Report

Completed Projects

- Distributed 2010 Drinking Water Consumer Confidence Report as required by Va. Department of Health – Office of Drinking Water.
- Installed new metering system for chemical feed pumps at the water plant.

New WWTP

- The Operations Building interior metal stud framing walls have been installed and partially dry walled. The interior vent and water piping is 95% complete, with insulation installed over piping. The exterior metal siding is 80% complete. The windows are 90% installed. The HVAC ductwork is 99% installed. Exterior door frames are installed. Interior door frames are installed. Hot water heaters and shower has been installed. Electrical conduit and boxes are being roughed in on interior walls. Wood blocking is being installed in the walls.
- The Headwork's Building exterior board insulation is 80% complete. The exterior metal siding is 80% complete. The metal roofing has been installed. The 2nd floor walls have been painted. The grit piping is 95% complete. The translucent panels are installed. Interior stairs are installed. Pump room walls are painted. Overhead door is installed. Electrical room has cabinets and lighting installed. Storage room has 80% of water piping installed. Windows are 75% installed.
- The Reactor Tank electrical control boxes are 95% installed. Process air piping in the reactor tanks is 98% complete. Davit cranes are installed. Electrical conduit and supports are 80% installed. Motorized and hand operated weir gates are installed. Weirs are 95% complete. MLSS recycle

piping and pumps are installed. Caulking is complete and leak testing is ongoing. Tank lighting conduit is being installed. Structural steel has been set for blower canopy.

- Membrane Tanks are coated, and hanging supports for the membrane cassettes are installed. Roofing to continue this month with insulation and final metal roof.
- The Process Building roof erection is 60% complete and will continue thru July. The main power is now in the Electrical room. Electrical switchgear is being tested. Main electrical room walls and ceiling have been painted. Lighting fixtures and conduit are installed. Electrical disconnects and control panels for the pumps are installed. Pump piping is currently being leak tested. The exterior walls have 95% of the metal siding installed. The chemical room lighting and chemical pumps have been installed, and pits are being prepared for coating this month. Fire suppression system is 80% installed.
- The UV Structure currently is 98% complete. Water re-use weir gate is on site and will be installed this month.
- The Waste Sludge tanks have air piping installed. The stair is 98% complete. Stainless steel diffusers have been installed. Building has been 80% backfilled. Handrail has been installed. Expansion joints have been caulked, and tanks to be leak tested this month.
- Solids Process Building metal roof panels are complete. Interior walls are painted. Electrical cabinets are installed and are being tested. Electrical conduit is being run. Interior steps and platform around the belt press has been installed. Exterior metal siding is 95% installed. Water piping is being installed. Drain piping is being tested.
- Reactor Distribution Box handrail is being leak tested.
- Carbon storage tank containment area pumps are installed.
- Outfall piping is 99% complete.
- Site work has begun, with backfilling around the Operations, Headwork's, Reactors, Solids, and Waste Sludge Holding Tank Buildings. Rain garden's have had some excavation work completed. Main road is being graded.
- Electrical conduit for site lighting has been installed. Site light poles have been erected.
- Culvert pipe has been installed at Bayshore Road entrance.
- Telephone duct bank and conduit has been installed.

Mason Ave Force Main

See attached schedule.

In Progress

- Awaiting response from DEQ for our Ground Water withdrawal permit. Will be issued upon adoption of new water & waste water codes by council. (Month 39)
- Working with DEQ to finalize Keck Well Aquifer Plan. Collecting data for response to DEQ review letter on the Keck Well Aquifer Test Plan.
- Surveying right-of ways for Keck Well Pipe line.
- 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 Madison and Plum.
- Annual inspection of sewer pods in Bay Creek and Marina Village 75% complete. (Vacuum System).
- Survey of all roof gutter systems on Mason Avenue to look for connections to the sewer system, as part of our inflow and infiltration project.

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 June FY 2011

Building Permits Issued/Permit Fees Collected:

Permits this month: 27	
Permits this year: 222	Total permits last year: 200
Total construction this month: \$744,430	
Total construction this year: \$4,263,030	Total construction last fiscal year: \$3,967,519
Permit fees this month: \$2,147.59	
Total permit fees this fiscal year: \$99,771	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: \$173.89	
Total Fire Dept. levies this year: \$3,797.81	Total Fire Dept. levies last fiscal year: \$3,282.54
State levy this month: \$34.78	
Total state levies this year: \$760.55	Total state levies last fiscal year: \$664.67
Miscellaneous Revenue: None	

Existing Structures Code Enforcement Cases:

Total Cases: 26	
New this month: 1	
Closed this month: 1	
Rental Inspections: 3	
Rental C.O's Issued: 2	
Rental Inspection fees collected: \$150	
Grass cutting enforcement: 8	
Grass cutting: 5	
Enforcement fees charged this month: \$750	
Enforcement fees charged this year: \$3,529.56	Fees charged last fiscal year: \$7,351.98
Enforcement fees collected: \$63.93	
Enforcement fees collected this year: \$2117.77	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)

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

Month of June FY11

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

Hours spent working on project this month: 15

Key Notes:

- Received quote to fix fountain bowl & base
- Approval of final bill with exception of 3 items that have not been fixed.

Other items of note:

1. Completed 54 inspections
2. Conducted 1 zoning clearances
3. Completed 0 courtesy residential inspections
4. Conducted 2 courtesy commercial inspection
5. Conducted 30 E & S control inspections
6. Conducted 0 commercial plan reviews for Erosion and Sedimentation Control.
7. Completed 0 residential plan reviews
8. Issued 2 Public Utilities Shallow Well permits
9. Made site inspections throughout the month on the New Waste Water Treatment Plant Project.
10. Continued work on a nuisance ordinance update to incorporate piling of trash, garbage, materials, etc of an unnecessary quantity as a violation.
11. Performed inspections of electrical systems at new docks.
12. New Code Enforcement case on Tazewell Avenue that is an immediate danger to the public. Received a call from a contractor today about tearing down rear addition. **Updated: The addition has been demolished and the safety issue has been avoided.**
13. Jeb Brady attended the Hazard Mitigation Committee Meeting and is continuing to update the Cape Charles portion of the Mitigation Plan.

Permit/Construction Fee Report

Jun-11

Address	Type	Permit #	Date	Work Description	Permit Fee	Value
212 Bay Avenue	Electrical	PE110029	6/24/2011	Upgrading to 400 amp service	\$56.00	\$1,500
1134 Bayshore Lane	Building	PB110002	6/16/2011	Fireworks Display 7-3-11	\$0.00	\$6,500
1011 Bayshore Road	Building	PB110045	6/8/2011	Gang Way for Floating Dock	\$84.00	\$1,500
638 Carousel Place	Plumbing	PP110019	6/20/2011	New Plumbing for Res.	\$173.60	\$16,000
638 Carousel Place	Gas	PG110006	6/20/2011	New Gas Piping w/1 Outlet	\$56.00	\$575
638 Carousel Place	Mechanical	PM110021	6/27/2011	New Mech for Res.	\$177.99	\$16,785
110 Churchill Downs	Building	PB110043	6/13/2011	Finish out room over garage	\$78.40	\$6,500
115 Heron Point Drive	UST/AST	PT110007	6/24/2011	250 Gallon UST	\$56.00	\$300
312 Jefferson Avenue	Building	PB110049	6/28/2011	Permit per Application	\$56.00	\$2,500
1 Kings Court	Plumbing	PP110020	6/28/2011	Work to obtain C.O.	\$59.92	\$3,200
1 Kings Court	Building	PB110050	6/30/2011	Work to obtain C.O.	\$56.00	\$2,500
27 Kings Court	UST/AST	PT110005	6/2/2011	120 Gallon UST	\$56.00	\$500
235 Mason Avenue	UST/AST	PT110006	6/2/2011	100 Gallon UST	\$84.00	\$500
1 Monroe Avenue	Shallow Well	PU110003	6/6/2011	Shallow Well	\$100.00	\$700
2 Monroe Avenue	Mechanical	PM110020	6/24/2011	New 3 ton air to air heat pump	\$75.60	\$6,000
201 Monroe Avenue	Building	PB110040	6/1/2011	New Deck	\$80.08	\$6,800
201 Monroe Avenue	Building	PB110042	6/6/2011	Siding for Accessory Building	\$56.00	\$1,900
160 Old Course Loop	Plumbing	PP110017	6/2/2011	Permit to obtain C.O.	\$56.00	\$2,500
160 Old Course Loop	Mechanical	PM110019	6/2/2011	Permit to obtain C.O.	\$56.00	\$2,500
160 Old Course Loop	Electrical	PE110027	6/2/2011	Permit to obtain C.O.	\$56.00	\$2,500
160 Old Course Loop	Building	PB110041	6/2/2011	Permit to obtain C.O.	\$56.00	\$2,500
301 Patrick Henry Ave.	Electrical	PE110028	6/23/2011	Installing 20 KW Generator	\$145.60	\$8,000
123 Peach Street	Building	PB110047	6/16/2011	Alteration to front and side porch	\$162.40	\$14,000
101 Tazewell Avenue	Shallow Well	PU110004	6/13/2011	Shallow Well	\$100.00	\$1,500
304 Tazewell Avenue	Building	PB110044	6/7/2011	Emergency demo of rear addition	\$56.00	\$1,500
530 Tazewell Avenue	Building	PB110048	6/22/2011	219 sq. ft. accessory building	\$58.80	\$3,000
541 Tazewell Avenue	Plumbing	PP110018	6/13/2011	New Plumbing for Res.	\$95.20	\$9,500

Totals

\$2,147.59 \$121,760

Revenue Totals by Category/Items

From: 06/01/2011 to: 06/30/2011

Miscellaneous		
Fire Dept Fee	24	\$173.89
Miscellaneous totals	24	\$173.89
Rental Fee		
RENTAL INSPECTION	3	\$150.00
Rental Fee totals	3	\$150.00
Shallow Well		
Well Inspection	2	\$200.00
Shallow Well totals	2	\$200.00
State Tax		
STATE TAX.	24	\$34.78
State Tax totals	24	\$34.78
Valuation		
Com \$0 - \$2.5K	1	\$75.00
Valuation Com \$0-\$2.5K	1	\$75.00
Valuation Com \$2.5K >	1	\$130.00
Valuation Res \$0 - \$2.5K	1	\$50.00
Valuation Res \$0-\$2.5K	11	\$550.00
Valuation Res \$2.5K - 10K	5	\$315.00
Valuation Res \$2.5K-\$10K	1	\$85.00
Valuation Res > \$10K	3	\$458.92
Valuation totals	24	\$1,738.92
Grand Totals	77	\$2,297.59

MONTHLY INSPECTION TOTALS

	Jeb Brady	
	FINAL	06/17/2011
	Final	06/09/2011
	Final	06/10/2011
Total		3
	David Fauber	
	Final	06/20/2011
	Final	06/20/2011
Total		2
	Jeb Brady	
	Final	06/17/2011
	Sheathing	06/16/2011
	Sheathing	06/16/2011
	Footing	06/03/2011
	Footing	06/03/2011
	Box Out	06/23/2011
	Foundation	06/23/2011
	Sheathing	06/24/2011
	Insulation	06/01/2011
Total		9
	David Fauber	
	Framing	06/03/2011
Total		1
	Jeb Brady	
	Insulation	06/06/2011
	Framing	06/06/2011
	Sheathing	06/07/2011
	Framing	06/07/2011
	Footing	06/07/2011
	Final	06/23/2011
	Insulation	06/23/2011
	Framing	06/23/2011
	CUT-IN	06/16/2011
	Rough-In Wall (O	06/22/2011
Total		10
	David Fauber	
	Final	06/20/2011
	Final	06/20/2011
Total		2

MONTHLY INSPECTION TOTALS

	Jeb Brady	
	Final	06/09/2011
	Final	06/10/2011
Total		2
	David Fauber	
	Rough-In	06/03/2011
Total		1
	Jeb Brady	
	Rough-In	06/06/2011
	CUT-IN	06/02/2011
	CUT-IN	06/03/2011
	Final	06/23/2011
Total		4
	David Fauber	
	Final	06/20/2011
	Final	06/20/2011
Total		2
	Jeb Brady	
	Final	06/09/2011
	Final	06/10/2011
Total		2
	David Fauber	
	Final	06/20/2011
	Final	06/20/2011
Total		2
	Jeb Brady	
	Final	06/09/2011
	Final	06/10/2011
	Final	06/23/2011
	Rough-In Walls	06/22/2011
Total		4
	David Fauber	
	Pipe Insulation	06/24/2011
	Final	06/20/2011
	Final	06/20/2011
Total		3
	Jeb Brady	
	Final	06/09/2011
	Final	06/10/2011

MONTHLY INSPECTION TOTALS

Final	06/23/2011
Final	06/09/2011
Final	06/10/2011
Tank in Place	06/14/2011
Tank in Place	06/13/2011

Total	7
Grand Total	54

InsDateCompleted Range from
06/01/2011 to 06/30/2011

Code Enforcement

FY 2011

Building Permits Issued/Permit Fees Collected:

Permits this year: 222	Total permits last year: 200
Total construction this year: \$4,263,030	Total construction last fiscal year: \$3,967,519
Total permit fees this fiscal year: \$99,771	Total permit fees last fiscal year: \$63,902.48
Bay Creek Water/Sewer Tap fees: \$32,350	
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: \$20,000	
Total Tap fees this year: \$52,350	Total Tap fees last fiscal year: \$20,000
Total Fire Dept. levies this year: \$3,797.81	Total Fire Dept. levies last fiscal year: \$3,282.54
Total state levies this year: \$760.55	Total state levies last fiscal year: \$664.67

Code Enforcement Performed 818 Inspections this Fiscal Year.

Planning Commission Report for Town Council

From: Tom Bonadeo
To: Town Council
Date: July 12, 2011
Subject: Report for Planning Department

Planning Commission Meeting—July 12

1. The Planning Commission held its regular monthly meeting Tuesday July 12. The meeting was rescheduled due to the Holiday.
2. The Planning Commissioners worked on the Sign Ordinance. The goal is to make the sign ordinance more readable and enforceable. The Planners submitted a letter to Council asking for support of their effort to improve the sign ordinance and its enforcement.
3. The County has requested that VDOT add Route 642 to their 6 year plan. We are working with the county and VDOT on the scope of work.
4. The Planner is working on:
 - a. The Design-Build Project for the Harbor Bathhouse. The RFQ is being advertised and contractors will be prequalified prior to the RFP stage.
 - b. Beach survey and review in accordance with our Beach Maintenance Plan.
 - c. Zoning compliance reviews and enforcements.
5. Gamesa is moving ahead with its projects in and around Cape Charles. Contractors are working out of the Town Harbor doing surveys of the Bay bottom in the vicinity of buoy 36A and wildlife studies are in progress. The Planner went with other agencies of the Commonwealth on the VIMS ship doing bottom surveys for Gamesa. This was to learn the details of the studies being done for the wind turbine site.

Historic District Review Board Meeting – June 21

The Board met and provided a review of five projects involving new building and home remodeling. The following projects were considered at the meeting:

1. A new garage building at 631 Jefferson Avenue
2. A new shed at 530 Tazewell Avenue.

The Board approved both items.

 <p>TOWN OF CAPE CHARLES</p>	AGENDA TITLE: Cape Charles Police Department		AGENDA DATE July 14, 2011
	SUBJECT/PROPOSAL/REQUEST: JUNE 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: 37

Calls for Service Outside of Cape Charles: 14

10-13 Calls

(A) By Dispatch: 48

(B) By Phone via Officer/Trooper: 01

(C) In Person 02

Felony Arrests: 00

Misdemeanor Arrests: 03

DUI Arrests: 00

Traffic Summons Issued: 36

Traffic Warnings Issued: 10

Parking Tickets Issued: 06

Assisted Northampton County Sheriff's Office: 08

Assisted Virginia State Police: 00

Assisted Other Local Police: 02

Assisted Other Federal Agencies 00

Assisted Fire & Rescue: 07

Assisted VDOT:

Hours of Training Received & What Type? 00



TOWN OF
CAPE CHARLES

AGENDA TITLE: Wastewater Treatment Plant (WWTP) Status

AGENDA DATE:
July 14, 2011

SUBJECT/PROPOSAL/REQUEST: Update on construction.

ITEM NUMBER:
6A

ATTACHMENTS: None.

FOR COUNCIL:
Action ()
Information (X)

STAFF CONTACT (s):
Bob Panek

REVIEWED BY:
Heather Arcos, Town Manager

BACKGROUND:

The Town awarded a \$14.7M contract for construction of the new WWTP to W.M. Schlosser Company in September 2009. Three change orders have been executed: \$164K for over-excavation of unsuitable material; \$177K for modifications to enable effluent reuse; \$34K for miscellaneous items. These change orders bring the contract value to \$15.1M. The total project is estimated at \$19.2M, including design, engineering, construction management and inspection. We are funding the project as follows:

1. \$6.0M - Virginia Clean Water Revolving Loan Fund (VCWRLF) principal forgiveness loan (equivalent of a grant), underwritten by the American Recovery and Reinvestment Act (ARRA) of 2009 (Federal stimulus).
2. \$8.0M - Water Quality Improvement Fund (WQIF) grant.
3. \$5.2M - VCWRLF zero-interest loan.

DISCUSSION:

As of the June 2011 progress meeting, construction is 103 days behind schedule. The contractor has requested a schedule adjustment due to several reasons. We and our engineering firm are in discussions with the contractor concerning this request.

We are about 78% into the length of the contract. Details of construction progress are contained in the Public Utilities report and the DEQ Interim Project Evaluation #7 previously provided to the Mayor and Council.

We have had one introductory fraud prevention visit from the U.S. Environmental Protection Agency (EPA) Inspector General's office, and ARRA compliance inspections by both the Virginia Department of Environmental Quality (DEQ) and the EPA. We are continuing to enforce the requirements of the ARRA.

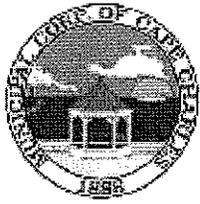
We have had seven interim project evaluations by DEQ. No significant issues have been raised.

Several wage determinations have been requested from the U.S. Department of Labor under the Davis – Bacon Act and have been approved. We anticipate receiving one more request from the contractor.

About \$10.9M has been billed to date, all of which has been reimbursed from WQIF and VCWRLF. This is about 72% of the contract value.

RECOMMENDATION:

Provided for information only.

 <p>TOWN OF CAPE CHARLES</p>	AGENDA TITLE: Public Service Authority (PSA) & Regional Wastewater System.		AGENDA DATE: July 14, 2011
	SUBJECT/PROPOSAL/REQUEST: Provide an update on the PSA and potential regional wastewater system.		ITEM NUMBER: 6B
	ATTACHMENTS: Letter from PSA to BOS of June 22, 2011		FOR COUNCIL: Action () Information (X)
	STAFF CONTACT (s): Bob Panek	REVIEWED BY: Heather Arcos, Town Manager	

BACKGROUND:

On June 28, 2010, the four participating Towns and the County adopted ordinances approving the joinder of the Towns to the existing, but dormant, Eastern Shore of Virginia PSA. The State Corporation Commission approved the revised charter, ten new Board Members were sworn in, and the PSA has been meeting monthly since August 2010. The PSA has assumed responsibility for the Northern and Southern Node projects initiated by the Towns and County Utilities Project Management Team under Department of Housing & Community Development planning grants.

DISCUSSION:

The revision of the Southern Node (Cape Charles & Cheriton) Preliminary Engineering Report (PER) is currently on hold. The PSA will survey some residential and commercial properties outside the boundaries of Cheriton and hold an additional community meeting to gauge interest before finalizing the service area. Since an affordable service rate can not be achieved with the \$11 million zero interest loan authorized by the State Water Control Board (SWCB), the Board of Supervisors, as recommended by the PSA, withdrew the application for financial assistance at this time. After the service area is finalized and the PER revised, the PSA will apply to both state and federal agencies for financial assistance.

The PER for the first phase of the Northern Node, Exmore and the Nassawadox medical community, has been completed. This project will cost about \$11.3 million. The PSA plans to submit a FY 2012 financial assistance application to the Department of Environmental Quality by the July 15 deadline.

Both projects are dependent upon significant amounts of grant funding to yield affordable rates. It is also planned to apply to both USDA Rural Development and the Virginia Department of Housing and Community Development for grant/loan packages. Additionally, the PSA will reengage in discussions with several private entities concerning capital contributions when appropriate.

The PSA Board has now formed four committees:

1. Medical Community
2. Northern Node
3. Southern Node
4. Economic Development

The PSA Board is still three members short (three of the six county appointees), and the Chairman has written to the Chairman of the Board of Supervisors urging that appointments be made.

RECOMMENDATION:

Provided for information only.

Eastern Shore of Virginia Public Service Authority
16399 Courthouse Road
Eastville, VA 23347

June 22, 2011

Chairman, Board of Supervisors
County of Northampton
PO Box 66
Eastville, VA 23347

Dear Chairman Randall,

The Board of the Eastern Shore of Virginia Public Service Authority is composed of ten members – four appointed by the participating Towns and six by the County. As you know, three of the County appointees resigned some time ago, leaving us with seven board members.

While we have been able to continue to conduct business with this reduced complement, it makes our work more difficult for two reasons: staffing of committees and approval of proposed actions. We have formed several committees to manage various aspects of the PSA's business: Participation of Riverside Health System, Northern Node, Southern Node, and Economic Development. We see a need for additional focus areas, e.g. assumption of operating systems, but need additional board members to staff these efforts. Additionally, our Articles of Incorporation require six members for a quorum and the Code of Virginia requires a majority, again six, to approve actions. As you can imagine, both can be a challenge with only seven members appointed.

I know this issue has been brought to the Board's attention at the joint meeting on April 20, 2011, and by the County Administrator since then. On behalf of the PSA Board, I urge the Board of Supervisors to seek out and appoint three additional members with complementary skill sets as discussed in the April meeting.

Sincerely,



Bob Panek
Chairman

Cc:
ESV PSA Board Members
Executive Director

 <p>TOWN OF CAPE CHARLES</p>	AGENDA TITLE: Regional Marketing Leverage Program Update		AGENDA DATE: July 14, 2011
	SUBJECT/PROPOSAL/REQUEST: Virginia Tourism Corporation Marketing Leverage Program		ITEM NUMBER: 7A
	ATTACHMENTS: Application Package		FOR COUNCIL: Action () Information (X)
	STAFF CONTACT (s): Heather Arcos	REVIEWED BY: Heather Arcos, Town Manager	

BACKGROUND:

At the April 27, 2011 Town Council Work Session, Ms. Lynne Lochen, Tourism Development Specialist with the Virginia Tourism Corporation, informed the Town of the Virginia Tourism Corporation Marketing Leverage Program which provided grants up to \$50K.

A group of business partners have been formed to apply for this grant with Northampton County being the lead partner. The other partners in the effort are the Town of Cape Charles, the Northampton County Chamber of Commerce, Bay Creek Resort & Club, Chatham Vineyards, Sunset Beach Resort Hotel & Sunset Grille and YMCA Camp Silver Beach. The Eastern Shore of Virginia Tourism Commission is also working in cooperation with the partners.

DISCUSSION:

A copy of the completed application which was submitted on June 29, 2011 is attached for Council review. This program is a targeted media outreach and awareness campaign focused on the Hampton Roads region, more specifically the Virginia Beach area and the military market, to promote the lower Eastern Shore region. The campaign is called "Cross the Bay for a Day, Better Yet Decide to Stay." The campaign will have a focus of marketing the concept of a visit to the region highlighting the reasons to make the trip and the partner businesses along with other tourism related businesses located on the lower Eastern Shore.

The program is composed of two elements: i) a general media campaign that promotes the concept of "Cross the Bay for a Day, Better Yet Decide to Stay" to expose the Hampton Roads region to the Eastern Shore and what is available in a very short distance across one of the engineering marvels of the world: recreational opportunities, shopping, outdoor adventure, wineries, fine dining, cultural exhibits, and lodging; and ii) targeted media opportunities from the business partners promoting their individual businesses as part of the collaborative program.

The application requested \$37,077.12 in Leveraging Funds and the partners will be responsible for \$74,154.23 in matching funds (2:1 match) for a total program budget of \$111,231.35. The Town's contribution of \$2,500 has been reallocated from the funds designated as Community Support for the Cape Charles Business Association (CCBA) in the FY 2011/2012 budget. The CC BA is in agreement with this reallocation since this grant would be beneficial to all businesses in the Town.

RECOMMENDATION:

Provided for information only.

Virginia Tourism Corporation Marketing Leverage Program Cover Sheet

PROGRAM NAME: "CROSS THE BAY FOR A DAY, BETTER YET DECIDE TO STAY"

LEAD PARTNER: NORTHAMPTON COUNTY

Please provide a brief (one to two sentences) summary of your program: This program is a targeted media outreach and awareness campaign focused on the Hampton Roads region, and more specifically on the Virginia Beach area and the military market to promote the lower Eastern Shore region; the program is called "Cross the Bay for a Day, Better Yet Decide to Stay". The program is a partnership of 2 governmental agencies, the local chamber, one non-profit and 3 business entities as well as in cooperation with the Eastern Shore of Virginia Tourism Commission with a focus of marketing the concept of a visit to the region that highlights the reasons to make the trip and highlights the partner businesses along with other tourism related businesses located in the lower Eastern Shore region.

The program is composed of two elements: 1) a general media campaign that promotes the concept of "Cross the Bay for a Day, Better Yet Decide to Stay" to expose the Hampton Roads region to the Eastern Shore and what is available in a very short distance across one of the engineering marvels of the world: recreational opportunities, shopping, outdoor adventure, wineries, fine dining, cultural exhibits, and lodging; and 2) targeted media opportunities from the business partners promoting their individual businesses as part of the collaborative program.

BUDGET OF PROPOSED PROGRAM

TIER ONE LEVERAGE PROGRAM

Up to \$10,000 Maximum award of \$10,000 with a 1:1 match required

Leveraging Funds Requested \$ _____

Partner's Matching Funds (1:1 Match) \$ _____

Total Budget for Program \$ _____

TIER TWO LEVERAGE PROGRAM

\$10,001 to \$50,000 Minimum of \$10,001 up to a maximum of \$50,000 with a minimum 2:1 match required (Two dollars from partners matched by one dollar from VTC).

Leveraging Funds Requested \$37,077.12

Partner's Matching Funds (2:1 Match) \$74,154.23

Total Budget for Program \$111,231.35

ANTICIPATED DATE OF PROGRAM COMPLETION: December 1, 2012

*All programs should be completed within 18 months of the date of award notification.
The final report must be submitted to the VTC within 60 days of the end of the program.*

RECEIVED JUN 29 2011 8

PROGRAM NAME "CROSS THE BAY FOR A DAY, BETTER YET DECIDE TO STAY"

VTC Marketing Leveraging Program Marketing Plan, Budget, and Timeline					
Marketing Calendar and Budget					
Media Outlet	Ad Type, Size and Frequency	Placement Date	Total Cost	VTC Funds Amount	Partners Fund Amount
Virginian-Pilot – Flagship (military newspaper component of the Virginian-Pilot)	Lower Eastern Shore Concept Ad - Quarter Page Color Ad;	August– October 2011 (monthly); March – October 2012 (monthly) Total of 13 ad Placements	\$11,777.35	\$3,925.78	\$7,851.57
Virginian-Pilot – Pulse (the Thursday edition with a focus on weekend activities)	3 column by 5 inch ad with color	August – October 2011 (monthly); February – October 2012 (monthly) Total of 13 ad Placements	\$17,745.00	\$5,915.00	\$11,830.00
VEER Magazine (Sunset Beach Resort Hotel)	Full Page Color Ad (8 placements)	July – September 2011; May – September 2012	\$4,000.00	\$1,333.33	\$2,666.67
The Virginian-Pilot, Beacon (Thursdays) (Sunset Beach Resort Hotel)	¼ page color (14 placements)	July – September 2011 (twice monthly); May – October 2012 (Monthly)	\$9,282.00	\$3,094.00	\$6,188.00
Hampton Roads Magazine (Sunset Beach Resort Hotel)	1/3 page color in magazine and e-weekly (6 placements)	September 2011; March, May, July, September, October 2012	\$6,960.00	\$2,320.00	\$4,640.00
Billboard (Sunset Beach Resort Hotel)	Shore Drive and Northampton Blvd.	8/29 – 10/23 2011; 5/21 – 8/13 2012	\$27,100.00	\$9,033.33	\$18,066.67
Virginian Pilot Summer Camp Guide (YMCA Camp Silver Beach)	Summer Guide black & white ad – 1/3 page	March 2012	\$500.00	\$166.67	\$333.33
Richmond Summer	Summer Guide Black &	March 2012	\$500.00	\$166.67	\$333.33

Camp Guide	white ad – 1/3 page			
Other Program Related Budget Items				
Specific Item (brochure, design services, display production, tradeshow registration, etc.)	Anticipated Completion Date	Total Cost	VTC Funds Amount	Partners Fund Amount
Facebook – Business Page setup of “Cross the Bay for a Day” – provide Pay Per Click campaign within this Facebook page (General Campaign)	August 2011	\$500.00	\$166.67	\$333.33
Brochure – “Bucket List” brochure highlighting Things to Do, Things To Eat, Things to See” concept highlighting the partners and featured sponsors. Size: 4 page glossy color foldover brochure; will serve as rack card. Print 50,000 (General Campaign)	August 2011	\$5,000.00	\$1,666.67	\$3,333.33
Bags for Welcome Package that will hold the brochure, coupons from partners and sponsors; this welcome bag will be provided for distribution at the Eastern Shore Southern Visitors Center. The advertising campaign in the Pilot publications will reference these welcome bags and will serve as a key performance benchmark to track how many individuals cross the bay for a day in response to the ads when they pick up the welcome bag. The welcome bags will also be provided for placement in timeshares in the Virginia Beach area. Print 25,000 (General Campaign)	August 2011	\$2,200.00	\$733.33	\$1,466.67
FAM Tour – host a media tour focusing on promoting the lower Eastern Shore. Cost includes rental of bus and cost of Chesapeake Bay Bridge-Tunnel toll. (General Campaign)	October 2011	\$2,000.00	\$666.67	\$1,333.33
Creative Development – professional assistance for the development of primary advertisement for the Virginian-Pilot publications and development of the brochure. (General Campaign)	July/August 2011	\$1,000.00	\$333.33	\$666.67
Placement of Rack Cards (Brochures) at 3 Visitors Centers for 2 years (New Church, I-64 & Southern Gateway) (General Campaign)	2011 & 2012	\$720.00	\$240.00	\$480.00
Facebook – Pay Per Click (Sunset Beach Resort Hotel)	October 2011	\$500.00	\$166.67	\$333.33
www.VirginiaBeach.Com Pay Per Click banner ad (Sunset Beach Resort Hotel)	October 2011	\$500.00	\$166.67	\$333.33
FAM Tour – host reception for media tour focusing on promoting the lower Eastern Shore (Sunset Beach Resort Hotel)	October 2011	\$1,000.00	\$333.33	\$666.67
Creative Development – Photographs and design of rack card and ads (Sunset Beach Resort Hotel)	July 2011	\$4,000.00	\$1,333.33	\$2,666.67
Printing of 10,000 Rack cards for the hotel and restaurant (Sunset Beach Resort Hotel)	August 2011	\$750.00	\$250.00	\$500.00
Summer Resident Camp Brochure – 5,000 (YMCA Camp Silver Beach)	December 2011	\$5,000.00	\$1,666.67	\$3,333.33
New Church Translite – Back Light at VTC New Church Visitor Center advertisement (YMCA Camp Silver Beach)	January 2012	\$850.00	\$283.33	\$566.67
ES Tourism Translite – Back Light at ES Tourism Welcome Center advertisement (YMCA Camp Silver Beach)	November 2012	\$1,000.00	\$333.33	\$666.67
DVD of Summer Camp Reprint – 3,500 (YMCA	December	\$5,000.00	\$1,666.67	\$3,333.33

Camp Silver Beach)	2012			
Internet Search Engines to highlight Camp Silver Beach for families searching for summer camps:	January 2012			
Camp Resources		\$648.00	\$216.00	\$432.00
Kids Camps		\$899.00	\$299.67	\$599.33
My Summer Camps		\$1,800.00	\$600.00	\$1,200.00
TOTAL BUDGETED AMOUNT		\$111,231.35	\$37,077.12	\$74,154.23

You may reproduce this form, but you **must** follow the format shown.

Research and Performance Measure Plan (RPM)

Please include below as much baseline data and other information as possible. This form will need to be included with your final report detailing the outcomes of your program. Refer to Pages 7-9 for more information. Your RPM Plan is based upon the duration of your program. You may reproduce this form, but you must follow the format shown.

Program Name CROSS THE BAY FOR A DAY, BETTER YET DECIDE TO STAY Lead Applicant NORTHAMPTON COUNTY

Performance Measures	Lead Partner – Northampton County		Partner 2 – Town of Cape Charles		Partner 3 – NC Chamber of Commerce	
	Current Baseline	Goal or % Increase	Current Baseline	Goal or % Increase	Current Baseline	Goal or % Increase
Total Number of Visitors	119,768 (Visitors tracked at ES Southern Gateway Visitor Center)	10%				
Total Visitor Spending	\$56,890,000					
Total Transient Occupancy						
Taxes Generated by Tourism	\$222,500.00	15%	\$12,887.00	15%		
Jobs Created or Sustained by your Project						
Total Number of Meetings Booked						
Average Occupancy						
Total Number of Leads						
Total Number of Unique Visitors to Website "Cross the Bay for a Day"	Not Applicable – New Feature under Campaign	10,000				
Other – Total Sales Tax	\$1,150,000	2%				
Other – Total # of Packets to be Distributed at ES Southern Visitors Center	Not Applicable – New Feature under Campaign	25,000				
Other – Facebook Friends for "Cross the Bay for a Day" site	500	50%				

Other - Events								800 overall attendance (3 Harbor Parties held in Town of Cape Charles)	25%
Other - Membership							215		20%



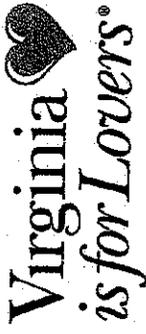
Virginia Tourism Corporation
Marketing Leverage Program – Spring 2011

Research and Performance Measure Plan (RPM)

Please include below as much baseline data and other information as possible. This form will need to be included with your final report detailing the outcomes of your program. Refer to Pages 7-9 for more information. Your RPM Plan is based upon the duration of your program. You may reproduce this form, but you **must** follow the format shown.

Program Name "CROSS THE BAY FOR A DAY, BETTER YET DECIDE TO STAY" Lead Applicant NORTHAMPTON COUNTY

Performance Measures	Partner 4 – Bay Creek Resort & Club		Partner 5 – Chatham Vineyards		Partner 6 – Sunset Beach Resort & Hotel – NOTE: Under New Management as of May 1, 2011 so they are estimating the baseline info.	
	Current Baseline	Goal or % Increase	Current Baseline	Goal or % Increase	Current Baseline	Goal or % Increase
Total Number of Visitors	33,000	Increase to 35,640				
Total Visitor Spending	\$3,550,000	Increase to \$3,834,000	2,100 cases of wine sold	10% increase	\$300,000 - \$350,000	\$350,000 - \$550,000
Total Taxes Generated by Tourism	\$240,000	Increase to \$259,200				
Jobs Created or Sustained by your Project	230 Employees	Increase to 250 Employees				
Total Number of Meetings Booked	25	Increase to 30			24 Employees	Increase to 36 employees
Average Occupancy						
Total Number of Leads					25% to 30%	Increase to 50%
Total Number of Unique Visitors to Website	80,000	Increase to 86,500				
Other - Fundraisers			5 Fundraisers with average attendance of 250 - 300;	Increase by 10% attendance & funds raised.		
Other						



Virginia Tourism Corporation
Marketing Leverage Program – Spring 2011

Research and Performance Measure Plan (RPM)

Please include below as much baseline data and other information as possible. This form will need to be included with your final report detailing the outcomes of your program. Refer to Pages 7-9 for more information. Your RPM Plan is based upon the duration of your program. You may reproduce this form, but you must follow the format shown.

Program Name CROSS THE BAY FOR A DAY, BETTER YET DECIDE TO STAY Lead Applicant NORTHAMPTON COUNTY

Performance Measures	Partner 7 – YMCA Camp Silver Beach		Partner		Partner	
	Current Baseline	Goal or % Increase	Current Baseline	Goal or % Increase	Current Baseline	Goal or % Increase
Total Number of Visitors	6,511	5%				
Total Visitor Spending						
Total Taxes Generated by Tourism						
Jobs Created or Sustained by your Project	8 Full Time; 4 Part Time; 85 Seasonal	Maintain Staffing Levels				
Total Number of Meetings Booked	51	5%				
Average Occupancy						
Total Number of Leads	167	5%				
Total Number of Unique Visitors to Website						

Sources of Research Information:

- **Visitor Counts:** Visitor logs at visitors centers, attractions, and/or events
- **Visitor Spending; Taxes Generated; Jobs:** Locality Economic Impact available at <http://www.vatc.org/research/economicimpact.asp>; economic data from your locality; individual partner data.
- **Average occupancy; number of leads; website data; meetings booked:** Your local Destination Marketing Organization (for a list please visit <http://www.vatc.org/csir/dmolist.asp>); locality data; partners data.

LEAD PARTNER FORM

LEAD PARTNER CONTACT INFORMATION (Please provide exact contact information for where correspondence regarding application is to be sent, including reimbursement payments).

"CROSS THE BAY FOR A DAY AND IF YOU DECIDE TO STAY"

Name of Program

NORTHAMPTON COUNTY

Name of Lead Partner

KATHERINE H. NUNEZ, COUNTY ADMINISTRATOR

Lead Partner Contact (Communications regarding your program will be addressed to this person).

PO BOX 66 EASTVILLE VA 23347

Mailing address of Lead Partner

7247 YOUNG STREET

Physical address of Lead Partner

MACHIPONGO

VA

23405

City

State

Zip

757-678-0440 EXT. 19

757-678-0480

Telephone

Fax

knunez@co.northampton.va.us.

E-mail address (BE SURE THE E-MAIL ADDRESS IS FOR THE PERSON RESPONSIBLE FOR ADMINISTERING YOUR PROGRAM. Communications regarding your program will be addressed to this person, via email).

www.co.northampton.va.us

Website address

54-6001468

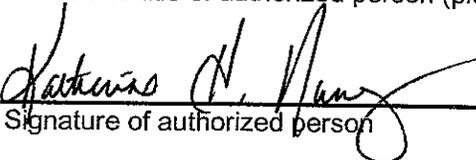
Federal Employer Identification Number (FEI #)

\$10,000

Lead Partners Financial Commitment (Value of in-kind goods/services are not allowed as part of match)

KATHERINE H. NUNEZ, COUNTY ADMINISTRATOR

Name and title of authorized person (please print)



Signature of authorized person

6/29/2011

Date

Please include contact information for each additional partner on the following pages

PARTNER NUMBER TWO CONTACT INFORMATION

"CROSS THE BAY FOR A DAY ... AND IF YOU DECIDE TO STAY"

Name of Program

TOWN OF CAPE CHARLES

Name of Partner

2 PLUM STREET

Mailing address of Partner

2 PLUM STREET

Physical address of Partner

CAPE CHARLES

VA

23310

City

State

Zip

757-331-3259 ext. 12

757-331-4820

Telephone

Fax

heather.arcos@capecharles.org

E-mail address

www.capecharles.org

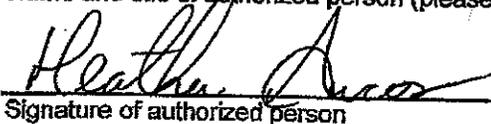
Website address

\$2,500.00

Partners Financial Commitment (Value of in-kind goods/services are not allowed as part of match)

Heather Arcos, Town Manager

Name and title of authorized person (please print)



Signature of authorized person

Date

6-27-11

Please attach additional forms for each partner in program

PARTNER NUMBER THREE CONTACT INFORMATION

"CROSS THE BAY FOR THE DAY ... AND IF YOU DECIDE TO STAY"

Name of Program

NORTHAMPTON COUNTY CHAMBER OF COMMERCE

Name of Partner

PO BOX 475

Mailing address of Partner

16429A COURTHOUSE ROAD

Physical address of Partner

EASTVILLE

VA

23347

City

State

Zip

757-678-0010

Telephone

Fax

chamber@northamptoncountychamber.com

E-mail address

www.northamptoncountychamber.com

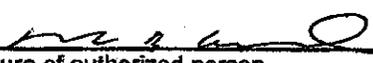
Website address

\$2,000.00

Partners Financial Commitment (Value of in-kind goods/services are not allowed as part of match)

Jeff Holland, President of Northampton County Chamber of Commerce Board of Directors

Name and title of authorized person (please print)


Signature of authorized person

6-27-11
Date

Please attach additional forms for each partner in program

PARTNER NUMBER FOUR CONTACT INFORMATION

"CROSS THE BAY FOR THE DAY ... AND IF YOU DECIDE TO STAY"

Name of Program

BAY CREEK RESORT & CLUB

Name of Partner

500 MARINA VILLAGE CIRCLE

Mailing address of Partner

(Same as mailing address)

Physical address of Partner

CAPE CHARLES

VA

23310

City

State

Zip

757-331-8650

757-331-8658

Telephone

Fax

olambert@baycreek.net

E-mail address

www.baycreek.net

Website address

\$2,500.00

Partners Financial Commitment (Value of in-kind goods/services are not allowed as part of match)

Oral Lambert, Chief Executive Officer

Name and title of authorized person (please print)



Signature of authorized person

June 27, 2011

Date

Please attach additional forms for each partner in program

PARTNER NUMBER FIVE CONTACT INFORMATION

"CROSS THE BAY FOR A DAY ... AND IF YOU DECIDE TO STAY"

Name of Program

CHATHAM VINEYARDS LLC

Name of Partner

9232 CHATHAM ROAD, MACHIPONGO, VA 23405

Mailing address of Partner

9232 CHATHAM ROAD

Physical address of Partner

MACHIPONGO

VA

23405

City

State

Zip

757-678-5588

678-7588

Telephone

Fax

chatham@intercom.net

E-mail address

www.chathamvineyards.net

Website address

\$2,500

Partners Financial Commitment (Value of in-kind goods/services are not allowed as part of match)

JON WENNER, OWNER

Name and title of authorized person (please print)

Jon Wenner

Signature of authorized person

Date

Jonathan H. Wenner

6/23/11

Please attach additional forms for each partner in program

PARTNER NUMBER SIX CONTACT INFORMATION

"CROSS THE BAY FOR THE DAY ... AND IF YOU DECIDE TO STAY"

Name of Program

SUNSET BEACH RESORT HOTEL and SUNSET GRILLE

Name of Partner

Sunset Beach Resort Hotel
1300 Diamond Springs Road, Suite 204
Virginia Beach, VA 23455

Mailing address of Partner

32246 LANKFORD HIGHWAY

Physical address of Partner

CAPE CHARLES

VA

23310

City

State

Zip

757-331-1776

757-331-3744

Telephone

Fax

brooks.johnson@harmonycompanies.com

E-mail address

www.sunsetbeachresortva.com

Website address

\$2,500.00

Partners Financial Commitment (Value of in-kind goods/services are not allowed as part of match)

Brooks Johnson, Director of Development, Harmony Investments, Inc.

Name and title of authorized person (please print)

Signature of authorized person

Date

Please attach additional forms for each partner in program

PARTNER NUMBER SEVEN CONTACT INFORMATION

"CROSS THE BAY FOR THE DAY ... AND IF YOU DECIDE TO STAY"

Name of Program

YMCA CAMP SILVER BEACH

Name of Partner

PO BOX 69

Mailing address of Partner

6272 YMCA LANE

Physical address of Partner

JAMESVILLE

VA

23398

City

State

Zip

757-442-4634

757-442-4786

Telephone

Fax

rhonda@campsilverbeach.org

E-mail address

www.campsilverbeach.org

Website address

\$1,000.00

Partners Financial Commitment (Value of in-kind goods/services are not allowed as part of match)

Rhonda Marsh, Director of Development

Name and title of authorized person (please print)

Rhonda P. Marsh

Signature of authorized person

6-27-11

Date

Please attach additional forms for each partner in program

PROGRAM DESCRIPTION (15 PTS)

• PROGRAM DESCRIPTION AND PARTNER EVALUATION

1. What is your program? Why is it needed?

The Eastern Shore of Virginia has a significant amount of assets (nature, outdoor recreation, dining, shopping, unique businesses marketing Eastern Shore goods and products, swimming, golf, wineries, hotels) but is faced with a perceived limitation of access due to the Chesapeake Bay Bridge Tunnel, both from its physical length of 17 miles and its financial cost of a \$12 one-way toll (return trip of \$5 if made within 24-hours of crossing the bridge). The Hampton Roads region is a very populous area with a high demand tourist component and a large military population that frequently turns over; this population group is generally not aware of the Eastern Shore and how close it is located and what it offers in terms of a very attractive day trip or weekend excursion.

Our marketing and awareness campaign is focused on highlighting the engineering marvel of the Chesapeake Bay Bridge-Tunnel and to incorporate that asset as a starting "destination" point in visiting the lower Eastern Shore. In addition, we will continue to emphasize our assets in a broad campaign that markets the lower Eastern Shore with the intention of increasing visitation for the lower Eastern Shore businesses (hospitality, food service, shopping opportunities, wineries, outdoor recreation opportunities, museums and cultural history of the region).

There is a general absence of knowledge from the residents of visitors of the Hampton Roads region that there is an Eastern Shore of Virginia or, if they are aware of it, they are unaware of how close it really is to travel and enjoy its amenities as a day trip experience. In fact, for many years, the Eastern Shore of Virginia was not even reflected on the maps of the state. It is imperative that we promote the region and increase visibility to our neighboring communities and to the visitors at large who do see Virginia Beach and Hampton Roads as tourism destinations.

2. Who are your partners? What is their role and financial commitment?

This application has been a collaboration of the County of Northampton, the Town of Cape Charles, the Northampton County Chamber of Commerce, Bay Creek Resort & Club, Chatham Vineyards, Sunset Beach & Resort, and the YMCA Camp Silver Beach. In addition, it is being done in cooperation with the Eastern Shore of Virginia Tourism Commission.

The County is serving as the lead partner, demonstrating a firm partnership with its business community and its desire to take the necessary steps to position the county for continued business growth and development. The County's 5- Year Comprehensive Plan Vision Statement reflects the importance of tourism to our local economy: *"Northampton County is a thriving community, built upon its rich agricultural, ecological and maritime heritage, whose residents have worked cooperatively to develop a healthy and sustainable local economy that is centered on agriculture, aquaculture, recreation and tourism, but complemented by jobs in compatible and appropriate industries and businesses that offer living wages to local residents."*

The County has worked diligently over the last 5 years to improve its tourism sector of our local economy, through the adoption of a 5% Transient Occupancy Tax and the utilization of those funds to improve tourism related marketing, strategy, funding for our tourism commission and tourism-related infrastructure improvements. The County is a partner with Accomack County in the Eastern Shore of Virginia Tourism Commission and our contribution to the Tourism Commission is derived from our transient occupancy tax; the Tourism Commission has developed a Tourism Strategy for the Eastern Shore which Northampton County has adopted. The County obtained grant funds from Virginia Department of Transportation which were utilized in the development and construction of the Eastern Shore Southern Gateway Visitors Center in partnership with the Chesapeake Bay Bridge Tunnel and the Eastern Shore of Virginia Tourism Commission as well as to provide for unified signage for each of the five Towns and the county on Route 13. The County has earmarked a portion of the transient occupancy tax to a locally administered Tourism Infrastructure Grant program to improve and enhance tourism infrastructure, such as improved beach access in Cape Charles and physical improvements to the railroad museum in Exmore. This marketing awareness campaign is the next step in a targeted outreach effort to improve and enhance visibility of the Eastern Shore in a manner that is in full partnership with our business communities and key partners of the Town of Cape Charles, the Northampton County Chamber of Commerce and with full support from the Eastern Shore of Virginia Tourism Commission. The County is committing \$10,000.00 for this initiative.

The Town of Cape Charles, the southernmost town on the Eastern Shore, is a quaint, bayside resort town that boasts unique shops and galleries, boutique accommodations, a public beach, fine dining, and first-class dock facilities. Tourism is a key component of this resort community with the success of the local businesses as well as many jobs tied to its seasonal clientele. The Town's commitment to tourism is evidenced in its recent significant improvements to tourism-related infrastructure such as the public beach and expanded dock space for leisure boaters. Cape Charles has also recently committed funds to support an initiative to attract tall ships to the harbor, and is actively seeking other tourism initiatives to extend the season into the shoulder months. As the closest Eastern Shore town to Hampton Roads, Cape Charles is well positioned to tap this lucrative market for day-trips and weekend getaways. The Town is committing \$2,500.00 for this initiative.

The Northampton County Chamber of Commerce serves the business community of Northampton County and has been instrumental in working in partnership with the County to develop broad marketing materials and tools to advance the business climate of the county. The Chamber is committing \$2,000.00 for this initiative.

The partnership of these three public entities have committed substantial funds to develop a broader marketing campaign for the county and to target the identified issues of Hampton Roads residents, visitors and military personnel: lack of knowledge that the Eastern Shore exists and the perceived hurdles of crossing the Chesapeake Bay Bridge-Tunnel. The business partners have been instrumental in developing this concept of a greater "regional" awareness campaign and are contributing funds for the overall marketing initiatives associated with this awareness campaign. In addition, the business partners will be contributing marketing offers for inclusion in the welcome package (described below under program content) and the public entities will be working with the business partners to solicit buy-in marketing exposure from other county businesses to contribute to the welcome package and website and Facebook page content.

Bay Creek Resort & Club is top-notch resort offering world class marina, fine dining, world class golf courses (one designed by Arnold Palmer and one designed by Jack Nicklaus), vacation rental opportunities and distinctive shopping opportunities. Bay Creek Resort & Club is committing \$2,500.00 for this initiative.

Chatham Vineyards was established in 1999 on the historic Chatham Farm, a working farm for over four centuries. They offer seven varieties of wine for sale and have developed a working partnership with other area businesses to provide a unique visitor's experience complemented by Chatham Vineyard wines. Chatham Vineyards is committing \$2,500.00 for this initiative.

Sunset Beach Resort Hotel is a newly renovated 72 room hotel and RV park, located just north of the Chesapeake Bay Bridge-Tunnel. Sunset Beach Resort Hotel offers a large beach on the Chesapeake Bay and waterfront dining. Sunset Beach & Resort is committing \$2,500.00 for this initiative. In addition, Sunset Beach is committing an additional \$36,061.37 for complementary advertising specific to its business.

YMCA Camp Silver Beach is nestled in 151 acres of beautiful woods and wetlands, and located on 1,200 feet of pristine Chesapeake Bay shoreline right on Virginia's Eastern Shore. CSB Offers fun and recreation year round – hosting several types of events each year, including resident summer camp for children ages 8-16, conference and retreats as well as family camp. CSB hosts over 6,000 visitors every year, mainly from the Hampton Roads area. This is the third year CSB has been chosen to host an Army Reserve Enrichment Camp with 100 campers. Many of these families are eating, sleeping or shopping somewhere on the Eastern Shore during their visit to camp; however, few families are choosing to stay overnight. CSB markets its programs in DC, Maryland, all of Virginia, and North Carolina. YMCA Camp Silver Beach is committing \$1,000.00 for this initiative. In addition, YMCA Camp Silver Beach is committing an additional \$16,097 for complementary advertising specific to its business.

PROGRAM CONTENT (TOTAL OF 75 PTS)

- **TARGET AUDIENCE, MARKET RESEARCH, PERFORMANCE MEASURES (30 Pts)**

1. **Who is your target market and audience?**

We are targeting the residents, visitors and military personnel located in the Hampton Roads region with a specific focus in the Virginia Beach area. Our audience is individuals, couples and families who as: (1) residents are looking for a new experience that could be done as a "day trip" which provides a less congested atmosphere, beach opportunities on the bay, winery experiences, history, shopping, golfing and dining; (2) visitors to the Hampton Roads region looking for a diversion from the week-long trip to not-quite off the beaten path that offers all of the above contained in #1; and (3) military personnel who are new to the area and are looking to explore and see what is available and unique about the region.

2. **Why did you choose this market?**

Hampton Roads is an untapped market for the Eastern Shore that is separated by a 17 mile bridge & tunnel from the "mainland". It has a large population pool with little knowledge of the Eastern Shore that could be addressed through a marketing initiative and sold as an attractive day trip which includes the ability to traverse, stop and enjoy one of the engineering marvels of the world (the Chesapeake Bay Bridge-Tunnel).

3. **What research supports your interest in this market?**

Hampton Roads is composed of over 1.6 million residents with 52.3% of that population in the targeted 25 – 64 year age bracket and the region having a median household income of \$56,222, according to the 2010 Census.

The State of the Region – Hampton Roads 2010 Report prepared by Old Dominion University states that the 2010 growth rate of the Hampton Roads economy will be close to 2.4%, the highest regional rate since 2006. In addition, this report has indicated that the recent recession did impact tourism in the region with the Williamsburg market being impacted the most. However, the report states that "The winners in the rearrangement of regional tourism market shares have been Chesapeake/Suffolk, Hampton/Newport News and Virginia Beach. The latter provides classic beach tourism plus other attractive amenities..." The population of the region and its position of growth clearly show an available market and coupled with the tourism impacts from the recession which have mostly escaped the Virginia Beach market provide an opportunity for the Eastern Shore to showcase its assets that offer similar amenities of beach and recreational opportunities but in a more serene and rural setting.

Of that amount, 107,974 are active-duty military personnel with an additional 52,373 civilian employees working for one of the military branches. [Hampton Roads Economic Development Alliance 2010]. According to the Hampton Roads Planning District Commission Special Report issued on January 6, 2011 detailing the Navy Economic Impact on the Hampton Roads Region, it states that the Navy & Marine forces account for 81% of the region's military employment and overall 11% of the total employment for the region. Additionally, the report states that active duty and civilian navy jobs have high

average incomes relative to employment in the rest of the region. When you factor in the military retirees estimated at 88,356 and the family members of active military and civil service employees at 298,729, this represents 547,432 people or 35% of the Hampton Roads region total population. There is a large component of this population that migrates out of the region to be replaced with new population so it provides an opportunity to target and familiarize this ever-changing population group with the Eastern Shore and its attributes that make for an attractive day trip excursion.

The Domestic Traveler Expenditures by Region report provided by the Virginia Tourism Corporation indicates that the Hampton Roads region tracks over \$3,474,300,000 in tourism related expenditures for 2009. While this represents a decline of 8.4% from the prior year, the Virginia Beach market is projected to increase its share of those tourism dollars as stated in the Old Dominion University 2011 Economic Forecast which shows that the market shares of hotel industry as measured by hotel revenue for Virginia Beach will increase from 35% (1999) to 39.6% (2010/2011).

The Eastern Shore already has been identified as having assets of interest to the traveling public according to the 2007 – 2009 Profile of Travel in Virginia Report prepared by TNS Travels America. A review of the data at the state level indicates that the Chesapeake Bay Bridge-Tunnel is the 3rd most frequented attraction by visitors. When you narrow the data down to just the Hampton Roads region, this rises to the 2nd most visited attraction in the region and if you narrow your focus to just the Virginia Beach area, this rises to the most visited attraction for travelers in the Virginia Beach area, outpacing Colonial Williamsburg and the Virginia Aquarium & Marine Science Center.

Again, when you examine this report at the Hampton Roads region, the Town of Cape Charles resides on the list at No. 25 of the Top 25 Most Frequently Visited Cities in Virginia for travelers visiting the Hampton Roads Region. So one of the towns located in the lower Eastern Shore has been “discovered” by travelers to the region; however, when you pull the data in for closer review by focusing only on the Virginia Beach area, Cape Charles is on the Top 25 Most Frequently Visited Cities in Virginia for travelers to the Virginia Beach area but did not progress in its ranking. This demonstrates that with a targeted marketing approach for the Virginia Beach area that we can raise the profile of the lower Eastern Shore which includes the Town of Cape Charles.

• **MARKETING MESSAGE AND PROGRAM (25 Pts)**

1. What is your marketing message that will cut through the clutter and encourage action?

Our initiative, “Cross the Bay for a Day, Better Yet Decide to Stay” is a very simple but effective message that conveys the premise in a clear cut manner. The verbiage of the Bay is known by the residents and military personnel located in the Hampton Roads region and the full message describes very simply the premise we are seeking.

2. What resources do you have and need to reach the target market?

It is our intention to utilize only two traditional media publications which are both offered through the Virginian-Pilot, the primary daily newspaper of record for this region. The first is the Flagship, a targeted publication to the military personnel, and the second is the

Pulse, the weekender activities section of the paper that is released on Thursdays. We intend on designing an ad that captures the essence of the lower Eastern Shore through graphics and delivers our message of "Cross the Bay for a Day, Better Yet Decide to Stay", providing the website and Facebook contact information within the advertisement. Through visits to the website and Facebook, our targeted audience will be provided information on package deals, such as "Things to Do" or "Places to Go" or "History to Visit" that will showcase the restaurants, the shopping, the cultural or historic sites of the lower Eastern Shore of Virginia. This type of information will also be contained in a "Bucket List" Brochure which will be distributed as part of a welcome package and distributed at several visitors' centers. The targeted audience will be directed to obtain promotional coupons or discounts in a welcome package that will be available for pick-up at the Eastern Shore Southern Gateway Visitors Center. The targeted audience will be required to register once they come to the Southern Gateway Visitors Center in order to receive the welcome package so we will have built-in tracking capacity of the impact of our marketing campaign and a future database for use by the partners to continue this initiative.

As stated, we will deliver a website called "Cross the Bay for a Day" and Facebook Business Page and utilize brochures for placement in the Eastern Shore Southern Gateway Visitors Center as well as at the I-64 East Coast Gateway Visitors Center and the New Church Visitors Center.

3. What is your marketing plan to reach the target market?

Our marketing and awareness campaign is a layered approach that begins with the ad placements in the two publications of the Virginian-Pilot (the Flagship and the Pulse). The intention is to have the ad run monthly in both publications, beginning as soon as we complete the creative work but no later than August 2011 and to run through October 2011; said advertisement will pick up and run again from March 2012 through October 2012. The ad is intended to be striking and capturing the essence of the lower Eastern Shore and to provide the contact information for the program website and Facebook page.

Through visits to the website and Facebook, our targeted audience will be provided information on package deals, such as "Things to Do" or "Places to Go" or "History to Visit" that will showcase the restaurants, the shopping, the cultural or historic sites of the lower Eastern Shore of Virginia. The website and Facebook page will contain detailed information about how to receive special offerings from selected businesses located on the Eastern Shore (including offers/coupons/discounts) as part of this campaign. The Facebook page will be designed to provide a "Pay Per Click" campaign so that we can track visitation to the page. The coupons/discounts/offers will be part of a welcome package that will be available for pick-up at the Eastern Shore Southern Gateway Visitors Center and, in partnership with the Eastern Shore of Virginia Tourism Commission who staffs this visitors' center, we will maintain a log of those who request and receive a welcome package. The coupons or discounts or offers will include items such as 10 – 20% off selected items or a specialty sale running for a particular time frame; these offers are currently under development by our partners for inclusion in this campaign. We will work on developing a relationship with the timeshare organizations/owners/managers in the Virginia Beach area to also provide the welcome package to the renters of the timeshares. Through the website visits, the "Pay Per Click" Facebook tracking, and tracking of distribution of the welcome packages at the Eastern Shore Southern Gateway Visitors Center, our campaign has built in conversion study information as it will tell us who visited, when they visited and where they came from. In particular, the registration log from the Southern Gateway Visitors

Center will be instrumental in having real-time knowledge of the impact of our marketing campaign and will provide a future database for the partners of this initiative to continue the outreach in subsequent years.

As part of the website and Facebook campaign to drive visitors to the Southern Gateway Visitors Center, we will host a contest for "Registered Visitor Center Welcome Bag" recipients to receive a gift package developed by our partners; the award winner would be selected in fall 2012.

We will be developing a brochure to market "Bucket List" activities – Things to Do, Places to Eat, Places to Visit, etc. This will be provided for distribution at the Eastern Shore Southern Gateway Visitors Center and the I-64 East Coast Gateway Visitors Center as well as included in the welcome packages. This brochure will assist in providing a framework for first time visitors to pull them off of Route 13 and to explore and discover the lower Eastern Shore.

We will organize and host a FAM Tour to occur in fall 2011 to promote the region that will be hosted by the partners of this grant and attended by the business contributors to the brochure and other marketing materials. Representatives of the Hampton Roads media market will be escorted to the Eastern Shore with local commentary provided as part of the bus tour at key locations on the Eastern Shore, such as the Chesapeake Bay Bridge-Tunnel, the Visitors Center, Chatham Vineyards, the Barrier Islands Center and Cape Charles. The tour will conclude with a reception and dinner on the bay at Sunset Grille to provide an opportunity to mix and mingle with the various partners and sponsors of this outreach campaign and the Hampton Roads media.

With the exception of the FAM Tour which is envisioned as a singular event, all of the other items will be put in place during summer 2011 and continue through the end of 2012.

Two of our partners, YMCA Camp Silver Beach and Sunset Beach Resort Hotel, will be doing additional advertising efforts as a complementary effort to this campaign but focused on their singular businesses. This will include development of rack cards for placement in the visitor centers; additional news media advertisements and targeted media and internet search engines for summer camp efforts.

- **"VIRGINIA IS FOR LOVERS" CAMPAIGN (20 Pts)**

1. **Detail how the program supports the "Virginia is for Lovers" campaign, including the VTC Partnership Advertising Opportunities.**

The partners are committed and concur that association with the "Virginia is for Lovers" campaign is a positive association overall for our efforts and we gladly will include the logo as part of all of the marketing materials. All of the partners will feature a link to Virginia.org on their respective websites and a link will be provided from the new website that is being developed under this program.

As stated, the areas of distribution of our marketing and awareness campaign materials detailed in the marketing section above provide the listing of where these items will be placed. We will include the Virginia is for Lovers logo on all brochures, website, Facebook

and advertisements. As stated, we will be placing our brochure in three visitors centers: New Church, Southern Gateway, and I-64.

A crucial component of our marketing campaign is targeting the mass population of the Hampton Roads region and its military population. The Virginian-Pilot is not one of the VTC Partnership Advertising Opportunities; however, the Virginian-Pilot holds a dominant position in the Hampton Roads region, especially detailing weekend events and activities through the Pulse publication (a part of the Thursday newspaper edition). The Flagship, a Virginian-Pilot publication, is the premier news media for the military population in Hampton Roads.

Sunset Beach Resort Hotels is intending on complementary advertising efforts that will incorporate The Virginian-Pilot as well as Hampton Roads Magazine which is part of the VTC Partnership Advertising Opportunities.

REPORTING YOUR SUCCESS (10 PTS)

• EFFECTIVENESS OF PROGRAM

1. How will you track and report the effectiveness of your program?

Each partner will be utilizing different performance benchmarks to verify the impact of this marketing campaign. From a county and town perspective, we will be looking at the transient occupancy tax to determine if lodging has increased and through the sales tax and meals tax to determine if there is a significant increase from this year. The Chamber will be determining if their membership numbers have increased as a result of improved business activity as well as certain Chamber sponsored events, such as the harbor party. The business partners and non-profit partner will be looking at sales or increased usage/visitation. We will be able to pull website visitation information from our website and report on the "Pay Per Click" visitation from the Facebook page. Lastly, the manner of distribution of the welcome package through the Southern Gateway Visitors Center will allow an accurate count and determination of where our visitors came from.

Each partner will be responsible for tracking and reporting their benchmarks to the County as the lead partner who will be compiling and submitting reports to VTC on the effectiveness of the marketing campaign.

2. Is there a plan for implementing the program if requested funding is not fully awarded?

The program will be scaled back to accommodate the constraints of the partners relative to the financial commitment but there is a unified level of support and agreement that as a whole a campaign awareness program must move forward based upon this type of partnership arrangement to increase traffic into the region.

3. Is there a sustainability plan to continue the program after the requested funding cycle?

There is a commitment to review the performance metrics of our various marketing tools and determine its success in reaching our goal to increase traffic to the lower Eastern Shore from residents and visitors of the Hampton Roads region (including military personnel) and make the necessary adjustments to ensure a successful outreach and awareness campaign. The County is committed to providing these funds in partnership with county businesses to continue the initiative.



June 26, 2011

Dear Virginia Tourism:

The Eastern Shore of Virginia Tourism Commission strongly supports the proposed "Across the Bay for a Day, Better Yet Stay" Marketing Campaign being submitted to the Virginia Tourism Marketing Leverage Program.

The campaign efficiently targets the Hampton Roads market to increase visitation to the Eastern Shore, an effort identified and supported by Virginia Tourism research.

Because of limited funding and staffing it is a huge challenge for the ES Tourism Commission to initiate such a campaign on its own. This will enable our mostly Mom & Pop establishments to partner and pool resources to work for a shared success.

The Commission believes the marketing plan can be effective in raising much needed awareness of the Eastern Shore as a unique vacation destination that Hampton Roads citizens can easily access. An increase in visitors to our region will support existing businesses, encourage the growth of new businesses and in turn create new jobs and revenue for our sister counties.

We also believe the measurements in the "Across the Bay... Campaign" will help fulfill the VTC's objective of validating a return on investment regarding the grant program.

If accepted the Tourism Commission will advance this campaign in every way we can.

Thank you for your kind consideration.

Godspeed,

Donna Bozza

Donna Bozza, Director,

Eastern Shore of Virginia Tourism Commission



TOWN OF
CAPE CHARLES

AGENDA TITLE: Code 42.3 – Adoption of State Law

AGENDA DATE:
July 14, 2011

SUBJECT/PROPOSAL/REQUEST: Adopt Ordinance 20110714
To Adopt Amendments to the Code of Virginia §46.2 and Title 16.1,
Chapter 11, Article 9 (§18.2-278 Et Seq.) and Title 18.2, Chapter 7,
Article 2 (§18.2-266 Et Seq.), If Any, For Incorporation into the
Cape Charles Town Code Chapter 42-Motor Vehicles and Traffic

ITEM NUMBER:
7B

ATTACHMENTS: Ordinance 20110714

FOR COUNCIL:
Action (X)
Information ()

STAFF CONTACT (s):
Charles Brown, Police Chief

REVIEWED BY:
Heather Arcos, Town Manager

BACKGROUND:

Each year a new ordinance must be passed accepting any and all amendments to the provisions and requirements set by State Code in matters of regulation of motor vehicles and traffic in the Town of Cape Charles and any penalties for traffic violations.

DISCUSSION:

From time to time, the State Code is amended to either delete or add new safety tactics to protect those traveling the highways, streets and roads. Changes to penalties and violations are also made. In order to have the authority to enforce these new laws, an amendment to the Town Code must be made that adopts any changes.

RECOMMENDATION:

Adopt proposed Ordinance 20110714 as presented.

ORDINANCE NO: 20110714

**AN ORDINANCE TO ADOPT
AMENDMENTS TO THE CODE OF VIRGINIA §46.2 AND
TITLE 16.1, CHAPTER 11, ARTICLE 9 (§18.2-278 ET SEQ.) AND TITLE 18.2,
CHAPTER 7, ARTICLE 2 (§ 18.2-266 ET SEQ.), IF ANY, FOR INCORPORATION
INTO THE CAPE CHARLES TOWN CODE
CHAPTER 42-MOTOR VEHICLES AND TRAFFIC**

WHEREAS, it is necessary to follow the guide set by the Code of Virginia to protect the safety and welfare of residents and guests of the Town of Cape Charles;

WHEREAS, from time to time, the Code of Virginia is amended to protect those traveling the highways, streets and roads of the Commonwealth;

WHEREAS, in order to have the authority to enforce these new laws, the Town Council of the Town of Cape Charles must adopt any and all amendments made by the Commonwealth of Virginia; therefore

BE IT ORDAINED: That pursuant to the authority of the Code of Virginia, 1950, as amended, § 46.2-1313, all of the provisions and requirements of the laws of the State contained in Code of Virginia, Title 46.2 and Code of Virginia, Article 9 (§ 18.2-278 et seq.) of Chapter 11 of Title 16.1, and of Article 2 (§ 18.2-266 et seq.) of Chapter 7 of Title 18.2 into ordinances as in force and effect on the date of the adoption of this Code, and as amended in the future, except those provisions and requirements the violation of which constitutes a felony, and except those provisions and requirements which, by their very nature, can have no application to or within the town, are hereby adopted and incorporated in this chapter by reference and made applicable within the Town. References to "highways of the state" contained in such provisions and requirements hereby adopted shall be deemed to refer to the streets, highways and other public ways within the Town. Such provisions and requirements are hereby adopted, *mutadis mutandis*, and made a part of this chapter as fully as though set forth at length herein. It shall be unlawful for any person within the Town to violate or fail, neglect or refuse to comply with any provision or requirement which is adopted by this section; provided, that in no event shall the penalty imposed for the violation of any provision or requirement hereby adopted exceed the penalty imposed for a similar offense under the Code of Virginia.

Adopted by the Town Council of Cape Charles on July 14, 2011.

Mayor Dora Sullivan

ATTEST:

Town Clerk

 <p>TOWN OF CAPE CHARLES</p>	AGENDA TITLE: Reappointment of Members for Library Board		AGENDA DATE: July 14, 2011
	SUBJECT/PROPOSAL/REQUEST: Reappointment of Library Board members		ITEM NUMBER: 7C
	ATTACHMENTS: None		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Heather Arcos, Town Manager	REVIEWED BY: Heather Arcos, Town Manager	

BACKGROUND:

There are several members of the Library Board whose terms will be expiring within the next month and need to be reappointed for another four-year term.

DISCUSSION:

- Valerie Travis (8/8/2011)
- Linda Schulz (8/8/2011)

Both have expressed their interest in continuing their service on the Library Board.

RECOMMENDATION:

Staff recommends Council reappoint Mss. Travis and Schulz to the Library Board for another term.



TOWN OF
CAPE CHARLES

AGENDA TITLE: Chesapeake Bay Restoration and Clean-Up Support

AGENDA DATE:
July 14, 2011

SUBJECT/PROPOSAL/REQUEST: Support Letter for Continued Funding for Chesapeake Bay Restoration and Clean-Up

ITEM NUMBER:
7D

ATTACHMENTS: Resolution #20110714 Supporting Continuation of Funding for Chesapeake Bay Restoration and Clean-Up and Draft Support Letter

FOR COUNCIL:
Action (X)
Information ()

STAFF CONTACT (s):
Heather Arcos, Town Manager

REVIEWED BY:
Heather Arcos, Town Manager

BACKGROUND:

An email was received from Terra Pascarosia Duff who is the Director of Terra-Scapes Environmental and Chairperson of the Chesapeake Bay Group Sierra Club asking Council for their assistance in supporting continued funding of programs that support clean water, including cost-share programs that facilitate the development and implementation of nutrient management plans and other items to clean up the Chesapeake Bay.

DISCUSSION:

Review the draft letter of support provided by Ms. Duff requesting continued support from Senators Jim Webb and Mark Warner. Funding of the Chesapeake Bay restoration and clean-up efforts is beneficial to the Town of Cape Charles, the entire Eastern Shore of Virginia and other areas surrounding the Chesapeake Bay and its tributaries.

RECOMMENDATION:

Staff recommends Council adopt Resolution #20110714 Supporting Continuation of funding for Chesapeake Bay Restoration and Clean-Up and authorize Mayor Sullivan to sign the letter of support.

Senator Jim Webb
144 Russell Senate Office Building
Washington, DC 20510

Senator Mark Warner
459A Russell Senate Office Building
Washington, DC 20510

Dear Senators Webb and Warner:

The Chesapeake watershed covers parts of six states and the District of Columbia, 64,000 square miles, 150 rivers and streams and 11,000 miles of shoreline. More than 17 million people live in the watershed and when the Bay is clean and healthy, it contributes over a trillion dollars to the economy¹.

For more than two decades, the Commonwealth of Virginia, our neighboring states, and the communities surrounding the Chesapeake Bay have worked to eliminate pollution in the watershed and bring the Bay's waters back to life. We have seen improvements to the Bay, and are aware that efforts are underway to restore it further. However, our goal of a clean and vibrant Chesapeake Bay that supports local economies and jobs - as well as an entire way of life - may now be in danger.

Recently, proposals by Members of Congress have attempted to either greatly reduce or completely eliminate funding for Bay cleanup. We are concerned that proposals like this could derail our progress on the Chesapeake Bay and ask that you support the continued funding of programs that support clean water, including cost-share programs that facilitate the development and implementation of nutrient management plans, and other items in the blueprint to clean up the Chesapeake.

Virginia, like the other states in the Chesapeake watershed, manages its own Clean Water Act program. For over 20 years, this state has been working in partnership with the federal government. We contributed to the determination of just how much pollution could be tolerated by the Bay. We decided how our shares of needed reductions might be achieved, and drafted our own unique plan to manage the process, cooperating with federal agencies every step of the way. As a result, we finally have a watershed-wide blueprint for moving forward on Chesapeake cleanup, which has been accepted by the Environmental Protection Agency (EPA). Stripping away promised federal dollars or undermining the cooperative multi-jurisdiction cleanup effort now, at such a critical time in the Bay's future, could result in even larger, negative economic impacts. It makes little sense to threaten the many industries - such as commercial fishing, recreational fishing and tourism - that thrive as a part of a healthy Chesapeake Bay.

Many interests, ranging from development to agriculture, have contributed to the Bay's polluted state, and each now must contribute its fair share to making it right. Stopping the cleanup by stopping the funding is not the answer.

We, the undersigned elected officials, call upon you as our elected U.S. Senators to support Bay restoration and resist all attempts to defund EPA's and Virginia's efforts.

¹ Chesapeake Bay Watershed Blue Ribbon Finance Panel, *Saving a National Treasure: Financing the Cleanup of the Chesapeake Bay* (Oct. 2004) and The Chesapeake Bay Commission, *The Cost of a Clean Bay: Assessing Funding Needs Throughout the Watershed* (Annapolis, MD: Jan. 2003)

RESOLUTION 20110714

**SUPPORTING CONTINUATION OF FUNDING FOR
CHESAPEAKE BAY RESTORATION AND CLEAN-UP**

WHEREAS, the Chesapeake watershed covers parts of six states and the District of Columbia, 64,000 square miles, 150 rivers and streams and 11,000 miles of shoreline. More than 17 million people live in the watershed and when the Chesapeake Bay is clean and healthy, it contributes over a trillion dollars to the economy; and

WHEREAS, for more than two decades, the Commonwealth of Virginia, our neighboring states, and the communities surrounding the Chesapeake Bay have worked to eliminate pollution in the watershed and bring the Bay's waters back to life. We have seen improvements to the Bay and are aware that efforts are underway to restore it further; and

WHEREAS, recently, proposals by members of Congress have attempted to greatly reduce or eliminate funding for Chesapeake Bay clean-up which could derail the progress made on the Chesapeake Bay;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Town Council of the Town of Cape Charles hereby supports the continued funding of programs that support clean water, including cost share programs that facilitate the development and implementation of nutrient management plans and other items in the blueprint to clean up the Chesapeake Bay; and it is further

RESOLVED by the Town Council of the Town of Cape Charles to call upon the Commonwealth's elected U.S. Senators to support the Chesapeake Bay restoration and resist all attempt to defund the Environmental Protection Agency's and the Commonwealth of Virginia's efforts.

Adopted by the Town Council of Cape Charles on this 14th day of July, 2011.

By: _____
Mayor Dora Sullivan

ATTEST:

Town Clerk

 <p>TOWN OF CAPE CHARLES</p>	AGENDA TITLE: Municipal Building Masonry Work Contract Award		AGENDA DATE: July 14, 2011
	SUBJECT/PROPOSAL/REQUEST: Award contract for the repairs to Window and Door Lintels on the Municipal Building		ITEM NUMBER: 7E
	ATTACHMENTS:		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Dave Fauber, Director Public Works	REVIEWED BY: Heather Arcos, Town Manager	

BACKGROUND:

Staff published a Request for Proposals (RFP) for the design and execution of repairs to the steel lintels over the windows and doors of the Municipal Building. Proposals were due and opened on June 14th. The Director of Public Works reviewed the bid proposals with the Town Manager and selected C.A. Lindman Incorporated from the three contractors submitting bids.

DISCUSSION:

The municipal building was constructed in 1930 and is a contributing structure to the Cape Charles National Historic District as an example of 1930s Art Deco Architecture. Over the course of its 80 year existence, the steel lintels over the windows and doors have deteriorated and have caused the failure of adjacent mortar joints. The Town advertised in the Eastern Shore News for a masonry contractor to assist us in designing a fix for damaged areas and to subsequently carry out the repairs. A mandatory pre-bid meeting was held where all prospective bidders were made familiar with the scope of the project and we were afforded an opportunity to meet the prospective contractors.

After completing a rating review, contacting the supplied references, and a subsequent interview with Jeff Proctor, P.E., Vice President of C.A. Lindman, I chose that company as the best qualified. Preliminary figures indicate that the proposed design will fall within the amount of budgeted money. Jeff Proctor has visited Cape Charles on several occasions to look at the building and take pictures and measurements. The suggested design uses a precast structural header that will be placed over the window after removing 3 courses of existing brick which will eliminate the need of matching the existing brick. I have received a preliminary OK from the Town Planner for historic architectural review, but the project will be subject to a complete review by the Historic District Review Board.

RECOMMENDATION:

Staff requests that Council award the Municipal Building Masonry Work contract to C.A. Lindman, Incorporated.



TOWN OF
CAPE CHARLES

AGENDA TITLE: Planning Request for Sign Ordinance Review

AGENDA DATE:
July 14, 2011

SUBJECT/PROPOSAL/REQUEST: Review and discuss the
Technology and Tourism Zone Ordinances

ITEM NUMBER:
7F

ATTACHMENTS: Planning Commission Letter

FOR COUNCIL:
Action (x)
Information ()

STAFF CONTACT (s):
Tom Bonadeo - Heather

REVIEWED BY:
Heather Arcos, Town Manager

BACKGROUND:

The Town of Cape Charles Planning Commission is requesting that the Council support the review and modification of the sign ordinance is support of a more positive intent while still controlling large signs.

DISCUSSION:

The Intent statement for the sign ordinance is attached and the Planning Commission is requesting Council support for a more positive rewrite so that our merchants can advertise their businesses and the Town can still control signage

RECOMMENDATION:

Staff recommends that Council move to support the Planning Commissions review of the sign ordinance and the rewrite of a more positive Statement of Intent.



Municipal Corp. of
Cape Charles

July 5, 2011

Town Council
Cape Charles

Dear Town Council,

The Planning Commission is interested in improving the Sign Ordinance to better meet the requirements of the current economic situation in Cape Charles. The Ordinance has outdated definitions and a very negative approach to signage. The Planning Commission believes in the effective control of signage but in a positive manner to create enthusiasm for our businesses while not overwhelming our streets and properties with signage.

The Statement of Intent has been attached for your reading and the Commission would like your support for a positive revision of the Intent and a further review of the ordinance.

Sincerely,

Bruce Brinkley
Chairman, Planning Commission