



# TOWN COUNCIL

## Regular Meeting

July 8, 2010

St. Charles Parish Hall

7:00 PM

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 / Trail Update
  - H. Planning Report
6. Old Business
  - \*A. Financial Assistance for Regional Wastewater System
  - B. Wastewater Treatment Plant Status
7. New Business
  - \*A. Vice-Mayor Election
  - \*B. Boundary Adjustment Committee Representative
  - \*C. Planning Commission Representative
  - D. Appointments to Planning Commission and Library Board
  - \*E. Cape Harbor Conditional Use Permit Extension
  - \*F. Code 42-3 – Adoption of State Law
  - \*G. Virginia Department of Transportation Resolution
8. Announcements
  - July 10, 2010 – Chamber of Commerce Harbor Party, 6P–10P
  - July 7, 2010 – Luncheon with Senator Mark Warner – 11:30A @ ESCC
  - July 7, 2010 – PSA Project Mgmt Team Meeting – 5P @ Former Middle School
  - July 15-17, 2010 – VML 2010 Newly Elected Officials Conference
  - July 22, 2010 – Town Council Work Session – 6P
  - July 26, 2010 – Boundary Adjustment Committee Meeting – 5P – *tentative*
  - August 12, 2010 – Town Council Regular Meeting – 7P
  - August 26, 2010 – Town Council Work Session – 6P – *tentative*
9. Adjourn at 9:00 P.M.



**DRAFT**  
**TOWN COUNCIL**  
**Public Hearing**  
**St. Charles Parish Hall**  
**June 10, 2010**  
**7:00 p.m.**

At 7:00 p.m. Mayor Dora Sullivan stated that a quorum had been met and called to order the Public Hearing of the Town Council. In addition to Mayor Sullivan, present were Councilmen Bannon, Bennett, Burdiss and Evans. Councilmen Elliott and Veber were not in attendance. Also in attendance were Town Manager Heather Arcos, Town Consultant Bob Panek, Town Clerk Libby Hume, Councilman-Elect Michael Sullivan and Councilwoman-Elect Joan Natali. The Department Heads were also in attendance along with nine (9) members of the public.

Mayor Sullivan announced the evening's public hearing was to hear public comment regarding the Virginia Water Facilities Revolving Fund zero interest loan in an estimated principal amount not to exceed \$6.4M.

**PUBLIC COMMENTS:**

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

**The Public Hearing of the Town Council was adjourned by unanimous consent.**

\_\_\_\_\_  
Mayor Sullivan

\_\_\_\_\_  
Town Clerk



**DRAFT**  
**TOWN COUNCIL**  
**Regular Meeting**  
**St. Charles Parish Hall**  
**June 10, 2010**

**Immediately Following the Public Hearing**

At 7:04 p.m. Mayor Dora Sullivan stated that a quorum had been met and called to order the Regular Meeting of the Town Council. In addition to Mayor Sullivan, present were Councilmen Bannon, Bennett, Burdiss, Elliott and Evans. Councilman Veber was not in attendance. Also in attendance were Town Manager Heather Arcos, Consultant Bob Panek, Town Planner Tom Bonadeo, Town Treasurer JoAnna Leatherwood, Harbor Master Smitty Dize, Town Clerk Libby Hume, Councilman-elect Michael Sullivan and Councilwoman-elect Joan Natali. The Department Heads were also in attendance along with nine (9) members of the public.

**INSTALLATION OF NEW COUNCIL MEMBERS / SWEARING OF OATH**

Mayor Sullivan introduced Chief Deputy Clerk Victoria Morgan of the Northampton County Circuit Court who administered the oaths of office and installed Dora Sullivan as Mayor and L. G. "Chris" Bannon, Michael Sullivan and Joan Natali as members of the Cape Charles Town Council effective July 1, 2010.

Mayor Sullivan thanked Councilmen Burdiss and Elliott for their service to Cape Charles and presented them with hand-carved birds. Mayor Sullivan distributed copies of the Cape Charles Comprehensive Plan to the new and current members of the Council stating that it was a "road map" of Cape Charles and contained everything they needed to know about the Town.

**PUBLIC COMMENTS:**

Mr. Granville Hogg, P. O. Box 117, Cheriton, addressed the Council regarding the installation of electric service at a location on Bay Avenue to operate a seasonal mobile kitchen, hopefully by July 1, 2010. Mr. Hogg offered to pay for the installation, with the Town taking ownership, and pay the Town for monthly electricity usage. (See attached) Town Manager Heather Arcos informed Mr. Hogg that the Council was planning to review the issue of peddler's licenses, but that the issue would probably not be resolved prior to July 1. The Council asked whether the mobile unit would remain at the location throughout the season or if it would be removed nightly. Mr. Hogg responded that the unit would be removed nightly in order to remove the discharge on a daily basis. Mr. Hogg asked whether his proposal could be discussed at this evening's meeting. Councilman Burdiss suggested that the Council refer this issue to the Town Manager to work with the necessary department heads to make the decision. Heather Arcos informed Mr. Hogg that she would contact him the next day.

There were no further comments from the public in attendance nor any written comments submitted prior to the meeting.

**CONSENT AGENDA:**

Mayor Sullivan stated that there were several items to be added to the agenda as follows: Under New Business, Change Order 3 regarding the Offshore Breakwater Project would become Item 8B, Harbor Redevelopment Phase 1 would be moved to Item 8C, Fiscal Year 2010/2011 Proposed Budget would be moved to Item 8D and two additional items will be added as new Item 8E – Virginia Retirement System Plan 2 Employee Resolution and new item 8F – Lease Agreement-Lots at Fig Street and Randolph Avenue.

**Motion made by Councilman Evans, seconded by Councilman Elliott to approve the agenda as amended. The motion was approved by unanimous consent.**

The Town Council reviewed the minutes of the May 13, 2010 Executive Session, the May 13, 2010 Regular Meeting, the May 18, 2010 Executive Session and June 3, 2010 Public Hearing.

Councilman Evans questioned the language from the May 13, 2010 Regular Meeting minutes regarding New Business Item C-Joint IDA Appointee Term Resolution stating that the Town should have appointed the representative to this committee and the County should have affirmed the Town's appointment. Councilman Burdiss stated that he was previously appointed to this committee as the representative from Cape Charles but his term was incorrect. This agenda item was to correct the term of the appointment only. After further discussion, it was noted that the minutes from the May 13<sup>th</sup> Regular Meeting did not need to be corrected.

**Motion made by Councilman Bannon, seconded by Councilman Burdiss to approve the minutes for the May 13, 2010 Executive Session, the May 13, 2010 Regular Meeting and the May 18, 2010 Executive Session 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 Cape Charles sign on the corner of Fig Street and Randolph Avenue has been touched up and looks great thanks to the Public Works Crew; ii) The Trail Project is making great progress and a mid-August completion date is anticipated. The Citizens of Central Park and the Town are making plans for a dedication event for Central Park possibly on September 5<sup>th</sup>. As the details are worked out, more information will be provided; iii) On May 25<sup>th</sup>, Heather Arcos, Mayor Sullivan and Harbor Master Smitty Dize attended a Virginia Port Authority Meeting where the Town received additional grant funding for the Harbor Improvements in the amount of \$447K. \$100K was included in the Fiscal Year 2010/2011 budget and the Town is very pleased in the additional amount; iv) Heather Arcos thanked Town Planner Tom Bonadeo and Public Works/Public Utilities Director Dave Fauber for their hard work and persistence in working with FEMA regarding the storm damage to the beach. The Town just received notification that it will be receiving \$30K, possibly \$40K, for sand replenishment at the beach; v) Heather Arcos is working on invitation for bids for the repairs to the pier and boardwalk and IT services for the Town.

**B. *Treasurer's Report:***

Treasurer JoAnna Leatherwood reported that the Treasurer's Report dated May 31, 2010 showed \$169,489 in the Bank of America checking account and \$2,771,036 in the Local Government Investment Pool ("LGIP") with a Total Cash on Hand of \$2,940,525. The Treasurer's office is working on follow-up letters regarding delinquent real estate taxes and has been in contact with an attorney in regards to tax sales.

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

**C. *Harbor Report:***

Harbor Master Smitty Dize reported the following: i) There have been several issues regarding the Breakwater Project this week and more details will be provided regarding the issues later in the meeting; ii) Kent Pruitt's mother was hospitalized earlier this week and he had to go home to

take care of his ailing father and will be out until his mother has recovered; iii) Business at the Harbor is good.

D. *Recreation Report:*

Community Events / Recreational Coordinator Jen Lewis reported that St. Stephens Church has agreed to allow the Town to use their facility for Town events, such as Bingo. Jen Lewis thanked Joan Natali for her recommendation of this location.

E. *Library Report:*

Librarian Ann Rutledge reported the following: i) The Library's Summer programs start June 23<sup>rd</sup>; ii) The Library has been decorated for the summer; iii) Three new families have moved into Town for the summer and have gotten their Library cards; iv) Many familiar faces are coming back to the Library. Several customers come to Cherrystone each year and love coming to the Library; v) The Friends of the Library have been sending out mailings inviting people to join the "Friends" and asking for donations. A lot of people are stopping by the Library and dropping off their donations; and vi) A lot of new volunteers are helping out at the Library and their assistance is greatly appreciated. Heather Arcos stated that she received an email from Ms. Alice Morehouse, President of the Friends of the Library, informing her that over 800 surveys have been mailed and that the Friends are working on a statement for the Town Council regarding their ideas for the future of the Library. Councilman Bannon added that the Friends mailed over 1500 fund raising letters.

F. *Public Works / Public Utilities Report:*

Public Works / Public Utilities Director Dave Fauber reported the following: i) He is still working on obtaining the new doors for the Library; ii) Three companies are submitting bids for the new wells on the Keck property. The deadline for bids is Monday, June 14<sup>th</sup> and the Town is trying to get the drilling completed by the end of June; and iii) The sand replenishment work at the beach should be completed next week. Wagner Brothers began the installation of the snow fencing this week

G. *Code Enforcement / Central Park Trail Update*

Combination Inspector Jeb Brady reported the following regarding the Central Park Trail Project: i) The construction is moving along very smoothly; ii) The sidewalk around the park is approximately 95% completed; iii) The North and East Node brick pavers have been installed; iv) The handicapped ramp around the Gazebo has been finished; v) All the Memorial Trees have been relocated and all survived the move; vi) The fountain that is to be installed in the West Node has been ordered and is estimated to take 6-8 weeks to arrive; and vii) All the conduit has been installed for the light poles around the Nodes. There will be 34 total light poles but 17 are being installed at this time. The conduit will be in place when the Town is able to install the additional lights. Jeb Brady informed the Council that he has 27 open code enforcement cases with the majority of them being neglect of the property and he has been working with property owners to rectify the violations. One case in Bay Creek is bank-owned and an ad has been placed in the newspaper regarding the property and bids are being collected for demolition. A representative from the bank called this week and the Town hopes that they will come through regarding this property. Since 2004, 27 structures in Town have been demolished. The property owners paid for 25 of them. Ten other structures were saved when the owners complied with the Town's directives. Mayor Sullivan thanked Jeb Brady for doing a great job.

H. *Planning Report:*

Town Planner Tom Bonadeo reported the following: i) Two shallow wells will be drilled for Central Park. Bundick won the bid and the work will be paid by donations from the Citizens for Central Park; and ii) Tom Bonadeo referred to the 27 property demolitions that have done in the

Historic District over the past several years and added that this represented a 5% reduction in inventory for the Town. Once the percentage reaches 10%, the Town could be in jeopardy of losing its Historic District designation. Tom Bonadeo updated the Council on the status of several outstanding conditional use permits as follows: i) There is a new partner involved with the Harbor Development Group and their permits are almost in place. The group is currently working on a traffic study; and ii) Cape Harbor is working on their detailed plan which will be reviewed by the Harbor Area Review Board. Heather Arcos added that she received the final draft of the Harbor Area Architectural Guidelines. Tom Bonadeo stated that it will be provided to the Council soon for their review and final approval.

**OLD BUSINESS:**

**A. *Wastewater Improvements Financing***

Consultant Bob Panek explained that the Town has been working with the Virginia Resources Authority (VRA), The Department of Environmental Quality (DEQ), Bond Counsel and the Town's legal counsel to arrange the closing on the zero interest loan. The Town has also been working with the DEQ for approval to include the following related project costs: i) the balance for the pump station modernization and force main realignment work after application of the \$663K EPA grant; and ii) the closure of the existing wastewater treatment plant (WWTP) site. The DEQ agreed regarding inclusion of the cost of the closure of the existing WWTP site but not for the inclusion of the Town's match for the work regarding the pump station and force main. Bob Panek went on to explain that Resolution 20100610 reflects the total project estimate of \$6.4M before receipt of the additional ARRA funds and was prepared by Bond Counsel and reviewed by the Town's legal counsel. The Town can close the loan for the full amount and draw only the amount needed (probably between \$5.0M and \$5.4M) up to that limit. Initial payments do not commence until project completion. A public hearing was held earlier this evening and no comments were heard.

**Mayor Sullivan moved for adoption of Resolution #20100610 – A Resolution Authorizing the Issuance and Sale of a General Obligation and Revenue Bond in a Principal Amount not to Exceed \$6,400,000 and Providing For the Form, Details and Payment Thereof. Resolution #20100610 was adopted by unanimous vote. Roll call vote: Bannon, yes; Bennett, yes; Burdiss, yes; Elliott, yes; Evans, yes.**

**B. *June 28<sup>th</sup> Joint Public Hearing Information***

Bob Panek informed the Council that a joint public hearing and special meeting has been scheduled for June 28, 2010 with the Northampton County Board of Supervisors and the Town Councils of Cape Charles, Cheriton, Exmore and Nassawadox to consider the applications of the Towns to become members of the Eastern Shore of Virginia Public Service Authority (PSA) and to amend the Articles of Incorporation of the PSA to provide that the number of members of the PSA's Board of Directors be increased to ten (10) and comprised of one (1) member from each town and six (6) At-Large members appointed by the Northampton County Board of Supervisors. Copies of the documents relating to this meeting were included in this evening's agenda packet for review by Council.

**C. *Cape Charles Trail Project Agreement Amendment***

Heather Arcos explained that in October 2008, the Town submitted an application for a Transportation Enhancement Program Grant in the amount of \$354K for the Cape Charles Trail Project. The Town was awarded the requested amount and the Amendment to the Project Development and Administration Agreement (Appendix A) showing the \$354K increase in grant funds for a total of \$1,109,300, has to be executed to accept the additional funds. The Town's 20% match of \$78K has been allocated in the FY 2010/2011 budget.

**Motion made by Councilman Bannon, seconded by Councilman Elliott to authorize the Town Manager to execute the Amendment to Project Development and Administration Agreement (Appendix A). The motion was approved by unanimous consent.**

**D. *Conditional Use Permit Process***

Tom Bonadeo stated that, upon request by Council, the Planning Commission revised Section 4.3 of the Zoning Ordinance regarding the Conditional Use Permit process. A public hearing was held regarding the revised process but Council requested the modifications also be reviewed by legal counsel. Legal counsel has reviewed the process and recommended several text changes to strengthen the process as requested by Council. The Planning Commission reviewed the recommendations made by legal counsel and agreed that this new process would make the Conditional Use Permit process more functional.

**Motion made by Councilman Evans, seconded by Councilman Bennett to approve the modification of Section 4.3 of the Zoning Ordinance as recommended by the Planning Commission. The motion was approved by unanimous consent.**

**NEW BUSINESS:**

**A. *Variance Time Limitation***

Tom Bonadeo explained that during a recent Board of Zoning Appeals hearing, it was discovered that the Zoning Ordinance may conflict with the State Code regarding a time limitation on variances and after legal review, a text change to the ordinance was recommended. Section 2.6.7 of the Zoning Ordinance states if a variance is not acted upon within one (1) year, the variance becomes null and void. The State Code does not specifically allow Towns to impose a time limit on variances but allows conditions to be added and in certain circumstances the condition of time could be added to the variance. Legal counsel surveyed attorneys from other municipalities and no other municipality sets a time limit on variances except as a condition under certain circumstances. The Council reviewed the text change recommended by legal counsel.

**Motion made by Councilman Evans, seconded by Councilman Elliott to adopt the text change to Section 2.6.7 of the Zoning Ordinance as recommended by legal counsel. The motion was approved by unanimous consent.**

**B. *Offshore Breakwater, Phases I & II Change Order #3***

Smitty Dize explained that the currents have been stronger than expected causing the bedding stone to be washed out in several areas of the breakwater. The main concern is with the use of the concrete blocks which tilt with the current but the placement of additional armor stone is expected to alleviate this problem. Change Order #3 needs to be approved in the amount of \$81,073.35. Heather Arcos stated that the actual amount of the bid was the amount included in the budget but after the award of the bid, the Town was able to negotiate a lesser amount with Precon Marine so the Town does have room in the current financing to increase the project cost by the amount of this change order.

**Motion made by Councilman Burdiss, seconded by Councilman Elliott and unanimously approved to authorize the Town Manager to executive the Change Order #3 as requested.**

**C. *Harbor Redevelopment Phase 1***

Heather Arcos explained that the Town was awarded \$343,977 from the Virginia Department of Health Boating Infrastructure Grant to construct 44 floating slips and two 750 SQFT shower/restroom facilities. An additional \$447K in grant funds was received from the Virginia Port Authority. The base bid package will include all slips, the two shower/restroom facilities and all water, sewer and electric utilities. This project is included in the FY2010/2011 budget.

**Motion made by Councilman Burdiss, seconded by Councilman Bennett to authorize the Town Manager to advertise an Invitation for Bids for the Harbor Redevelopment Phase 1 once the bid package has been completed. The motion was approved by unanimous consent.**

**D. *Fiscal Year 2010/2011 Proposed Budget***

Heather Arcos stated that the Council held a public hearing on June 3, 2010 regarding the proposed Fiscal Year 2010/2011 Budget and no comments were heard. Heather Arcos went on to state that there were no tax rate changes. The base tier minimum utility rates will increase by a total of \$5.00. The water rate will increase from \$30.10 to \$31.60, the wastewater rate will increase from \$34.30 to \$37.05 and the trash collection fee per can will increase from \$13.25 to \$14.00. The trash collection fees were last increased in 2007. The utility increases are to cover current operating costs for water and wastewater and to accumulate debt service reserve that is required by the Virginia Resources Authority who is financing the balance of the wastewater treatment plant. The budget was prepared with no employee layoffs, but the employees will be contributing to the cost of their health care insurance. Councilman Burdiss expressed his disappointment regarding the fact that the Council held a public hearing on a \$21M budget and no citizens attended and tonight, only one (1) member of the public remained in attendance at this time.

**Motion made by Councilman Burdiss, seconded by Councilman Bennett to adopt the proposed FY 2010/2011 budget as presented. The motion was approved by unanimous consent.**

**E. *Virginia Retirement System Plan 2 Employee Resolution***

JoAnna Leatherwood stated that the Town of Cape Charles had been a member of the Virginia Retirement System since January 1989. Effective July 1, 2005, the Town of Cape Charles, as part of the FY 2006 budget, decided to contribute the employees' share of the monthly retirement contribution as an added fringe benefit. In its 2010 session, the Virginia General Assembly passed legislation implemented new plan provisions for employees hired or rehired on or after July 1, 2010, called VRS Plan 2. The current active employees and retirees are in Plan 1. Since the Town's commitment to pay both the employee's and employer's share of the monthly contribution was passed when only Plan 1 was in place, a new resolution needs to be adopted by June 30, 2010 to make the same benefit available to any Plan 2 employees.

**Mayor Sullivan moved for adoption of Resolution #20100610A – Authorization to Pick-Up the Employee's Contribution to VRS Under §414(h) of the Internal Revenue Code For Plan 2 Employees. Roll call vote: Bannon, yes; Bennett, yes; Burdiss, yes; Elliott, abstained; Evans, yes.**

**F. *Lease Agreement – Lots at Fig Street & Randolph Avenue***

Heather Arcos informed the Council that Bay Creek is the owner of lots 1464, 1465, 1466, 1468, 1470, 1471 and 1472 in Cape Charles and desires to lease the property to the Town. The Town's welcome sign is currently located on this property at the corner of Fig Street and Randolph Avenue. The initial term of the lease will begin June 10, 2010 and end December 31, 2010 and shall automatically renew for the term of December 31, 2010 to December 31, 2011 as long as neither party gives notice of its intent not to renew by October 1, 2010. In lieu of rental payments to Bay Creek, the Town will pay all Northampton County real estate taxes and forgive or pay any Cape Charles real estate taxes. Bay Creek agrees to offer this property for sale to the Town before offering the property for sale to any third party. Upon being offered the property

for sale, if the Town declines to purchase it, the term of the lease will expire on the date of closing on a sale to a third party. The Town will keep the property and the sign or signs in good repair and will be responsible for cutting the grass and otherwise maintaining the property. Councilman Burdiss suggested contacting the Commissioner of Revenue for Northampton County regarding a possible real estate tax exemption from the County for this property since the Town will be leasing it for its use and offered his assistance if needed.

**Motion made by Councilman Burdiss, seconded by Councilman Elliott to authorize the Town Manager to execute the lease agreement with Bay Creek for the lease of lots 1464, 1465, 1466, 1468, 1470, 1471 and 1472. The motion was approved by unanimous consent.**

**ANNOUNCEMENTS:**

- June 14, 2010 – Employee Recognition for Years of Service, 1PM
- June 15, 2010 – Virginia Stranding Team Release of Sea Turtles, 11AM
- June 17, 2010 – PSA Project Management Team Meeting, 7PM
- June 21, 2010 – Joint Meeting of Cheriton & Cape Charles Planning Commissions
- June 24, 2010 – Town Council Work Session – tentative
- June 28, 2010 – Joint Public Hearing – County Board of Supervisors and Town Councils of Cape Charles, Cheriton, Exmore, Nassawadox re: PSA Board – 7PM at the former Northampton Middle School Auditorium
- July 3, 2010 – Cape Charles Fire Company Annual Seafood Festival
- July 4, 2010 – July 4<sup>th</sup> Parade @ 2PM and Cape Charles Annual Fireworks after sunset
- July 5, 2010 – Town Offices Closed in observance of Independence Day
- July 8, 2010 – Town Council Regular Meeting, 7PM

Mayor Sullivan thanked Councilmen Burdiss and Elliott for their years of service on the Town Council adding that they will be missed.

**Hearing no objections, Mayor Sullivan adjourned the Town Council Regular Meeting by unanimous consent.**

---

Mayor Sullivan

---

Town Clerk



**DRAFT**  
**TOWN COUNCIL**  
**Special Meeting**

Town Hall  
June 15, 2010  
5:15 p.m.

At 5:15 p.m. at the Town Hall, Vice Mayor Chris Bannon stated that a quorum had been met and called to order the Special Meeting of Town Council. In addition to Vice Mayor Bannon, present were Councilmen Burdiss, Elliott, Evans and Veber. Councilwoman Natali was out of town and participated in the meeting by conference call. Mayor Sullivan and Councilman Bennett were not in attendance. Also present were Town Manager Heather Arcos, Public Utilities/Public Works Director Dave Fauber and Town Clerk Libby Hume.

Vice Mayor Bannon announced the business for the evening would be to review the bids for drilling of the wells on the Keck property and award the contract to the preferred bidder.

Town Manager Heather Arcos informed the Council that two bids were received and were opened at 2:00 PM on June 14, 2010. Sydnor Hydro was the low bidder at \$150,928 and Bundick Well and Pump came in at \$162,486. Public Utilities/Public Works Director Dave Fauber's recommendation was emailed to Council earlier today. Dave Fauber explained his reasoning regarding his recommendation to award the bid to Bundick Well and Pump even though they were not the low bidder stating that several years ago, Sydnor Hydro was contracted by Baymark Construction to drill wells which were to be connected to the Town's water system. Dave Fauber went on to state that he was unsure who was at fault, Sydnor Hydro or the engineering firm, in regards to poor quality of East Well II and the amount of money spent by the Town of Cape Charles for testing and engineering services before determining that the well did not quality as a production well since it did not produce enough gallons per minute and the water quality was poor. The Virginia Department of Health required 20 samples for bacteria testing and when the tests were performed, the Town discovered that the water quality was poor. Dave Fauber went on to explain that Sydnor Hydro should have known that the site did not produce enough water and chosen a different site. There was much discussion regarding Sydnor Hydro and what could have been done regarding East Well II. Councilman Elliott stated that geographically, Bundick Well and Pump knows this area and being a local company, could respond more quickly in case of a problem or emergency than a company in Richmond. Dave Fauber informed the Council of an incident several years ago when he called Sydnor Hydro regarding this well and the poor output and quality of the water and being that the Town did not initially contract to have this well drilled, Sydnor Hydro did not respond to our problem. Dave Fauber went on to state that he felt that if Bundick Well and Pump had originally drilled this well and a problem was encountered, Bundick would have come out to rectify the problem.

**Motion made by Councilman Burdiss, seconded by Councilman Veber and unanimously approved to accept Dave Fauber's recommendation to award the contract to Bundick Well and Pump as discussed.**

**Motion made by Vice Mayor Bannon, seconded by Councilman Evans and unanimously approved to adjourn the Town Council Special Meeting.**

\_\_\_\_\_  
Vice Mayor Bannon

\_\_\_\_\_  
Town Clerk



**DRAFT**  
**TOWN COUNCIL**

**Executive Session**  
**Town Hall**  
**June 24, 2010**  
**6:00 P.M.**

At 6:06 p.m. Mayor Dora Sullivan stated that a quorum had been established and called to order the Executive Session of the Town Council. In addition to Mayor Sullivan, present were Councilmen Bannon, Bennett, Evans and Veber. Councilman Elliott arrived at 6:10 p.m. Councilman Burdiss was not in attendance. Also in attendance was Town Manager Heather Arcos. Town Planner Tom Bonadeo entered the meeting at 6:50 p.m. for the discussion regarding the lease of the old high school.

**Motion made by Councilman Veber, seconded by Councilman Bennett and unanimously approved to go into Closed Session in accordance with Section 2.2-3711-A of the Code of Virginia of 1950, as amended for the purpose of:**

Paragraph 1: Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, motion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body.

Specifically: Interviews for Vacancies on the Library Board and Planning Commission

Paragraph 3: Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

Specifically: Lease of the Old High School

**Motion made by Councilman Bennett, seconded by Councilman Veber and unanimously approved to return to Open Session.**

Motion to certify to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body. Roll call vote: Bannon, yes; Bennett, yes; Elliott, yes; Evans, yes; Veber, yes.

**Motion made by Councilman Bennett, seconded by Councilman Elliott and unanimously approved to appoint Mss. Linda Schulz and Valerie Travis as members of the Library Board and Mr. Michael Strub as a member of the Planning Commission.**

**Hearing no objections, Mayor Sullivan adjourned the Town Council Executive Session by unanimous consent.**

---

Mayor Sullivan

---

Town Clerk



**DRAFT**  
**TOWN COUNCIL**  
**Work Session**  
Town Hall  
June 24, 2010

Immediately Following the Executive Session

At 7:15 p.m. at the Town Hall, Mayor Dora Sullivan stated that a quorum had been established and called to order the Work Session of Town Council. In addition to Mayor Sullivan, present were Councilmen Bannon, Bennett, Elliott, Evans and Veber. Councilman Burdiss was not in attendance. Also present were Councilman-Elect Sullivan, Town Manager Heather Arcos, Town Consultant Bob Panek, Town Planner Tom Bonadeo and Town Clerk Libby Hume. One member of the public was in attendance.

Mayor Sullivan announced the business for the evening would be to discuss the Eastern Shore of Virginia Public Service Authority (PSA) and the potential regional wastewater system.

Town Consultant Bob Panek explained that the County Planning Department had developed a preliminary map of the areas being considered for the regional wastewater for the North and South Nodes. The South Node consists of Cape Charles, Cheriton and surrounding areas. Bob Panek pointed out that Tower Hill and Kings Creek Landing were not included in the County's initial service area. The infrastructure would go by these developments for possible inclusion in the future. Bob Panek stated that the engineering firm was working to better define the proposed service area and should have their report finalized by July 8<sup>th</sup> Town Council meeting.

Bob Panek went on to review information and estimated cost figures regarding the debt service of just Cape Charles vs. the new South Node debt service.

Several Council members expressed their concerns regarding the make-up of the PSA Board with one (1) appointee per incorporated town and six (6) appointees from the County and there was much discussion regarding this issue. Councilman Evans stated that he felt that the Council should express their opinions regarding the PSA Board to the County.

There were many questions regarding whether Cape Charles had to transfer ownership of the new wastewater treatment plant to the PSA. Bob Panek explained that Cape Charles could retain ownership of the system and sell services to the PSA but added that over time, it would probably be beneficial for the Town to transfer ownership of the system to the PSA. After much debate, the Council reached a consensus to move forward with the discussions with the County and to join the PSA at the June 28<sup>th</sup> Joint Public Hearing and Special Meeting of the County Board of Supervisors and the Town Councils of Cape Charles, Cheriton, Exmore and Nassawadox.

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

\_\_\_\_\_  
Mayor Sullivan

\_\_\_\_\_  
Town Clerk



**DRAFT**  
**TOWN COUNCIL**  
**Joint Public Hearing & Special Meeting**  
**With Northampton County Board of Supervisors**  
**and Town Councils of Cheriton, Exmore, Nassawadox**  
**former Northampton Middle School Auditorium**

**June 28, 2010**

**7:00 p.m.**

At 7:30 p.m. Mayor Dora Sullivan stated that a quorum had been established and called to order the Public Hearing of the Cape Charles Town Council. In addition to Mayor Sullivan, present were Councilmen Bannon, Bennett, Elliott, Evans and Veber. Councilman Burdiss was not in attendance. Also in attendance were Town Manager Heather Arcos, Town Consultant Bob Panek and Town Clerk Libby Hume. The Town Councils from the Towns of Cheriton, Exmore and Nassawadox and the Northampton County Board of Supervisors were also in attendance along with approximately 50 members of the public.

The Mayors of the Towns of Cheriton, Exmore and Nassawadox and Board of Supervisors Chairman Trala called to order their respective public hearings.

County Administrator Katherine Nunez read the notice of joint public hearing which detailed the purpose of this evening's meeting to consider the applications of the incorporated Towns of Cape Charles, Cheriton, Nassawadox and Exmore to become members of the Eastern Shore of Virginia Public Service Authority (PSA) and to amend the Articles of Incorporation of the PSA to provide that the number of members of the PSA's Board of Directors be increased from five to ten to be appointed in the following manner: One PSA Board member to be appointed by each of the four member towns and six At-Large PSA Board members to be appointed by the Northampton County Board of Supervisors, which appointees may or may not be members of the respective governing bodies. The PSA Board members would serve staggered terms with initial terms of two or four years, which have been drawn. The names and initial terms of the County Board of Supervisors' appointees are as follows: George E. Gowen, Jr. to serve two years, Carl Harris to serve two years, Granville F. Hogg, Jr. to serve two years, J. T. Holland to serve four years, Robert H. Meyers to serve four years and Scott R. Walker, Jr. to serve four years. The names and initial terms of the appointees from the incorporated towns are as follows: Bob Panek, from the Town of Cape Charles, to serve four years, Henry J. Heneghan, Jr., from the Town of Cheriton, to serve four years, Felton Sessoms, from the Town of Nassawadox, to serve four years and Artie Miles, from the Town of Exmore, to serve two years. New paragraphs 7 and 8 have been added to the Articles of Incorporation of the PSA. Paragraph 7 addressed the initial focus of the PSA as follows: i) Sewer expansion for Exmore and sewer service for Nassawadox, including Riverside Shore Memorial Hospital, and the surrounding areas of Northampton County; ii) Sewer expansion for Cape Charles and sewer service for Cheriton and the surrounding areas of Northampton County; and iii) Conveyance of the Exmore, Cape Charles and Bayview sewer and water systems to the PSA. Paragraph 8 stated that the study and construction of future system expansions or new systems should be compatible with the Comprehensive Plans of the participating localities. Katherine Nunez stressed that the County was not creating a new PSA but was expanding the existing PSA.

## **PUBLIC COMMENTS:**

Nine citizens addressed the County Board of Supervisors and Town Councils in attendance and two letters were submitted to the Board of Supervisors to be read into record.

Mr. Dave Kabler stated that economic development hinges on a good plan. A good plan could not be attained without all the towns and the county working together and he was pleased to see all working together this evening.

Ms. Marie Frocke asked if there were term limitations for the members of the PSA Board. Katherine Nunez responded that the County has a policy limiting committee members to eight – ten years depending on their terms. Under County guidelines a member could serve two eight-year terms, but she was unsure whether the Code of Virginia placed similar restrictions for PSA Board members.

Mr. Vincent Conroy stated that the figures regarding the sewage treatment plant charges and hookups did not add up and he stated his concern with retirees and others on fixed incomes being able to afford any type of increase. Mr. Conroy added that he is currently on a septic system and pays approximately \$240 every five years for a pump out, but with a regional wastewater system with a cost of \$40-50 per month, the total yearly cost could be \$600. Mr. Conroy stated that he would have a problem in supporting a project under these circumstances.

Ms. Nancy Garrett stated that she lived in Cheriton and questioned the issue regarding the Town having to turn over all decisions and control to a PSA Board especially since there was nothing definite regarding costs, location, etc.

Ms. Mary Miller stated that she was a member of the County Planning Commission and in the Planning Commissioner certification classes she learned about other rural areas and how they resolved certain issues. In a previous class, the issue of wastewater systems was discussed stating that it was beneficial to have regional systems serving smaller clusters of population. PSAs were some of the best solutions to run these system but other alternatives should be considered. It could be less expensive to leave control of the system(s) to the individual towns and the tax payers. Another issue is the stormwater runoff which is not covered by a wastewater system. Ms. Miller mentioned Henry and Campbell Counties as examples of rural counties with PSAs.

Exmore Councilman Charles Massey posed a question to Supervisor Randall regarding rumors that the hospital had already made their decision as to whether they would stay in Northampton County or relocate to Accomack County. Chairman Trala informed Mr. Massey that the Board would get him an answer but this evening's meeting was to hear public comment regarding the PSA.

Ms. Debbie Campbell asked whether the PSA Board meetings would be open to the public. Katherine Nunez responded that the FOIA rules apply to the PSA Board and the meetings would be open to the public.

Katherine Nunez read letters from Mr. James Sturgis, Mayor of Eastville, and Sarah Morgan.

Mayor Sturgis expressed his concern regarding the following issues: i) the hasty manner taken in reactivating the PSA; ii) the undetermined amount of debt for this project; iii) undetermined debt to be passed to the County tax payers; iv) undetermined pipeline locations; and v) sewage systems where water would be pumped into the Bay vs. reuse.

Sarah Morgan expressed her concern regarding the make-up of the PSA Board and that the County and towns were moving forward without knowing the costs of the project. Ms. Morgan stated that she was skeptical regarding the PSA being the answer. The majority of the residents of the County would be supporting the system(s) with their tax dollars but would get very little benefit from it. Mr. Morgan stated that there was not enough information for the Board of Supervisors to make a decision and asked that the Board wait until November for a referendum to see how the citizens of the County feel about the project.

Mr. Henry Heneghan, Jr. asked about the Code of Virginia's regulations regarding creation of a new PSA. Katherine Nunez responded that the PSA is already in existence and that this evening's discussions regarded a joinder to the PSA Board and there were still procedural steps that have to be completed, such as filings to the State Corporation Commission and further communications with the towns.

Mr. Richard Leal stated that there were two things the County did not have – a water and sewer system and added that the County has been reluctant to bring in businesses and was not business-friendly. The County needed to bring in water and sewer systems to support the existing and future businesses and stressed the importance of having qualified people on the PSA Board.

There were no further public comments to be heard.

**Motion made by Councilman Veber, seconded by Councilman Elliott to close the Public Hearing portion of the meeting. The motion was approved by unanimous consent.**

Chairman Trala opened the floor to the Towns to address the Board of Supervisors.

Cape Charles Councilman Evans stated that he felt that a ten-member board was absurd and that he was concerned regarding the control issue with each town appointing one member to the PSA Board and the County appointing six members.

No one from the Cheriton Town Council had any comments.

Exmore Councilman David Scanlon expressed his concern regarding the PSA taking over the wastewater system and possible future water system and asked whether it would be mandatory for County citizens with working septic systems to hookup to the regional wastewater system. Councilman Scanlon continued asking where the wastewater system would be located and concluded by stating that at \$40 per month, citizens would be required to pay approximately \$2400 vs. the current cost of approximately \$240 for pump outs every five years.

No one from the Nassawadox Town Council had any comments.

Supervisor Murray thanked the towns for attending the meeting and the citizens for their comments and added that without a structure that promotes cooperation, there will be no plan. The County and towns, individually, have not gotten very far in the past and this project cannot be completed separately. Supervisor Murray stated that answers were needed regarding costs,

mandatory hookups, etc. and added that he did not think that a huge debt would be incurred. Supervisor Murray went on to state that he had great confidence in the citizens who were appointed to the PSA Board and that it was a step in the right direction for Northampton County and its towns.

Supervisor Tankard stated that the Board and towns did not need to rush the process and that there was enough public concern regarding this project that need to be reviewed further. Supervisor Tankard added that he would like to wait until the reports from the consultants were completed before moving forward. Supervisor Tankard cited previous projects such as the Sustainable Technology Industrial Park (STIP) and the regional jail which were both driven by consultants and did not materialize as projected. This project has the same type of scenario.

Supervisor Randall stated that the current economy was weak but would eventually come back. There was funding available that the County could take advantage of because the economy was down. Should the County let that money go in order to wait for a better economy? The County must prepare for the future and support the expansion of the PSA.

Chairman Trala stated that he had never been more supportive with moving forward with the PSA and had never seen a better opportunity. Town Hall meetings have been held by the consultants to answer any citizen questions. Chairman Trala continued by stating that he had not seen this much cooperation between the County and the towns since he had been on the Board of Supervisors and felt that this project was a move in the right direction.

**Motion made by Supervisor Tankard to table the joinder of the towns and amendment of the Articles of Incorporation of the PSA. There was no second to the motion therefore the motion was not put before the group for discussion or decision.**

**Motion made by Supervisor Long, seconded by Supervisor Randall to approve the joinder of the towns and amendment of the Articles of Incorporation of the PSA. The motion was approved by majority vote of the Board of Supervisors with Supervisor Tankard opposed.**

**Mayor Sullivan moved for adoption of Cape Charles Town Council Ordinance #20100628 Re: Joinder of the Incorporated Town of Cape Charles to the Eastern Shore of Virginia Public Service Authority. Ordinance #20100628 was adopted by unanimous vote. Roll call vote: Bannon, yes; Bennett, yes; Elliott, yes; Evans, yes; Veber, yes.**

The Towns of Cheriton, Exmore and Nassawadox adopted their respective ordinances.

**Hearing no objections, Mayor Sullivan adjourned the Public Hearing/Special Meeting of the Cape Charles Town Council by unanimous consent.**

The Towns of Cheriton, Exmore and Nassawadox adjourned their respective meetings.

---

Mayor Sullivan

---

Town Clerk



**DRAFT**  
**TOWN COUNCIL**  
**Work Session**  
Town Hall  
June 30, 2010  
6:00 PM

At 6:00 p.m. at the Town Hall, Mayor Dora Sullivan stated that a quorum had been established and called to order the Work Session of Town Council. In addition to Mayor Sullivan, present were Councilmen Bannon, Bennett, Elliott, Evans and Veber. Councilman Burdiss was not in attendance. Also present were Councilman-Elect Sullivan, Town Manager Heather Arcos, Town Planner Tom Bonadeo, Town Clerk Libby Hume and one member of the public.

In attendance from Southport Investors were Mr. Eyre Baldwin and Ms. Rosemary Bosworth. In attendance from the Virginia Economic Development Partnership (VEDP) was Mr. John Loftus, Site & Buildings Representative in the Research-Project Support Department. Mr. Mike Lehmkuhler, Team Leader of the Business Development-Transportation Team for the VEDP arrived at 6:15 p.m.

Mayor Sullivan announced the business for the evening would be to meet with Southport Investors and the VEDP. At this point, Mayor Sullivan turned the meeting over to Southport Investors and the VEDP.

Ms. Bosworth explained that Southport Investors invited Mr. Loftus to this meeting to obtain more information regarding what the State may and may not be able to do regarding their project, with their primary interest being the Technology Zone. Ms. Bosworth continued by stating that Southport Investors had received an invitation to attend the July 6th meeting of the Planning Commission who has had discussions regarding the possibility of creating a Technology Zone within Cape Charles. Their second item of interest is an industrial access road to Bayshore Concrete. Mr. Baldwin stated that his sister has had regular discussions with representatives in Washington, DC regarding funding availability for this project.

Mr. Loftus stated that the VEDP was basically the marketing organization for the State and their primary objective was to bring business interests to Virginia. Mr. Loftus went on to state that the Technology Zone issue was handled by the Department of Housing and Community Development (DHCD) and that this designation allows a municipality to offer certain incentives to lure business to the jurisdiction, such as tax incentives or the waiving of water and/or sewer hookup fees, etc.

Mayor Sullivan stated that Cape Charles already has a designated Enterprise Zone, its own police department, public utilities and a designation as a Foreign Trade Zone. Ms. Bosworth added that Broadband services were coming soon which was another benefit for a business to come to Cape Charles. There was some discussion regarding the status of the Foreign Trade Zone and Mr. Baldwin added that there were still some steps that needed to be taken to finalize the process and he offered to work on the issue to get it accomplished.

Mr. Loftus explained that the Virginia Department of Transportation (VDOT) administers the Industrial Access Road Fund and the purpose of the fund was to provide roads to industrial properties. If the property is undeveloped, a bonding process is required which mandates that if business(es) are not brought in within five years, the money must be repaid.

Mr. Baldwin informed the attendees that Southport was approximately 30 days from a public offering which would raise large sums of money for the park.

Town Planner Tom Bonadeo pointed out the proposed route for the industrial access road along Old Cape Charles Road to Bayshore Concrete. Mr. Lehmkuhler asked whether anyone had talked to VDOT's resident engineer regarding this road stating that it would ultimately depend on VDOT's resident engineer as well as the ability to obtain the proper easements to build the road. Mr. Baldwin stated that he owned the property and would donate the right-of-way for the road to be built.

Tom Bonadeo pointed out the current route taken by the Bayshore Concrete trucks, including the numerous 90° turns that were required, in order to move the concrete forms from Bayshore to Route 13. Mr. Lehmkuhler stated that if a public safety issue could be substantiated, VDOT may be agreeable. Mr. Lehmkuhler went on to stress the need and importance of contacting a VDOT engineer to discuss this road further and suggested a meeting with VDOT and representatives from Southport Investors and Bayshore Concrete and reiterated that VDOT had to make the determination that this road was an eligible project.

Mr. Baldwin stated that there was plenty of money available through the Economic Development Access Program if all the parties could sit down and discuss this issue further. Mr. Lehmkuhler stated that if VDOT approval could be obtained, the fund would provide up to \$500K in assistance with the requesting entity having a cash match of \$300K.

Councilman Bennett asked what benefit the Town would get from the construction of the industrial access road to justify the investment of the \$300K match. Mr. Lehmkuhler stated that the matching funds do not have to come from the town but could be from private entities to which Mr. Baldwin agreed. Mr. Lehmkuhler further stressed that the VDOT engineers needed to be included as early as possible and justification was needed to establish a safety issue, along with Bayshore Concrete's cooperation, especially since a public road access already existed.

Ms. Bosworth discussed Southport's plans for a café, market and offices on lot 12 adding that she felt there was a safety issue involved. Mr. Lehmkuhler advised that the Town and interested parties be as concise as possible regarding the issues relating to safety with VDOT. It would be a plus that Southport is willing to donate the land for the right-of-way.

Tom Bonadeo stated that the Planning Commission has been discussing these issues over the past several months and had invited representatives from Bayshore Concrete, Bay Creek Resort & Club and Southport Investors to attend their July 6<sup>th</sup> meeting in order to familiarize themselves with the needs of these surrounding businesses. Tom Bonadeo also stated that he would contact Mr. Bobby Isdell from VDOT who was familiar with the Town and its various projects.

Ms. Bosworth asked who needed to be contacted regarding establishing a Technology Zone. Mr. Lehmkuhler responded that it was handled by the DHCD but the Town had the authority to set up a Technology at any time.

Tom Bonadeo explained that the Planning Commission would probably hold a work session in July to further discuss Technology Zones as well as Tourism Zones which are very similar in that the zones allow a municipality to offer incentives to lure businesses to the jurisdiction. Mr. Lehmkuhler stated that he was impressed with the homework done by Tom Bonadeo regarding the Technology and Tourism Zones and the fact that the Planning Commission had already started their discussions regarding the establishment of these zones in Town.

Ms. Bosworth expressed her appreciation in being invited to the next Planning Commission meeting to further discuss these issues.

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

---

Mayor Sullivan

---

Town Clerk

**Town Manager Report**  
**Highlights**  
**June 11, 2010 – July 1, 2010**

**Cape Charles Central Park**

- The Trail Project is making great progress.
- Several emails have been received from surrounding owners whose garages used to flood when it rained. Since the 4 BMPs have been installed, no flooding has occurred!
- 2 large elm trees were cut down along Plum Street. They were diseased with Dutch elm disease and over 50% of the trees were rotten. 67 new trees will be planted throughout the Park in the Fall.
- We anticipate a completion date of mid August. We are working on planning a celebration in the park and details will be provided at a later date.

**Breakwater Project**

- The project is moving along. The contractor is waiting for additional stone to be placed on the two sections. This should be done within the next couple of weeks.

**Eastern Shore News Article**

- A very nice article ran in the June 30<sup>th</sup> issue of the Eastern Shore News regarding the Central Park Trail Project, the Beach Replenishment Project and the new wastewater treatment facility in Cape Charles.

**Harbor Development**

- The Town is working to finalize the bid package for the Harbor Development Project that will include floating boat slips and a bath house. This project is included in the Fiscal Year 2010/2011 Budget.

**Cape Charles Beach**

- The ADA boardwalk access at the South end of the beach is almost completed. The installation of the railing will be done after the July 4<sup>th</sup> holiday weekend.
- The construction of the beach access walkways should begin after the July 4<sup>th</sup> holiday weekend.
- Reminder: No dogs permitted on the beach during the summer from 9am – 9pm.

**Wastewater Treatment Plant Update**

- Concrete work for the UV/Post Aeration Facility, Bio-Reactor/Membrane Tanks is well underway.
- Underground utilities (duct banks, plumbing, etc.) for Process Building installed.
- Foundation work for Headworks (screening/grit removal) underway.
- Storm drainage system being installed.
- Mobilization for outfall extension along Bayshore Road.

**Boundary Adjustment Sub-Committee Update**

- The Committee did not meet in June. The joint meeting with the Planning Commissions from Cape Charles and Cheriton was cancelled and we are hopeful to be able to schedule a meeting in July.
- The Cape Charles Planning Commission is currently reviewing the Town Edge and Corridor Overlay along Route 13 and the proposed boundary adjustment area.

**Old Cape Charles School**

- Solicitations to lease the old school building will be advertised soon.

**Computer Maintenance IFB**

- Working on an IFB for computer maintenance for the Town. It should be ready for bid soon.

### **Virginia Local Government Management Association Annual Conference**

- Attended the annual conference in Va Beach on June 17, 2010.
- A number of interesting topics were discussed, from employee morale, budgets in these tough economic times and leadership roles.

### **Bayshore Concrete**

- Had a site tour of Bayshore Concrete facility with John Chandler, Vice President of Finance, and Billy Harris, Plant Manager.

### **Joint Public Hearing / Meeting with County and Incorporated Towns**

- On June 28<sup>th</sup>, a joint public hearing and meeting was held at the former Northampton Middle School. The Town Councils of Cape Charles, Cheriton, Exmore and Nassawadox each adopted an Ordinance to join the Eastern Shore of Virginia Public Service Authority.
- Several people stated that this was the first time that they could remember where the County and its incorporated towns attended a meeting and were cooperating on a particular project.

### **Topics for Upcoming Work Sessions:**

- Town Code Modifications:
  - Chapter 70 – Water, Sewer and Sewage Disposal
  - Section 38-36 – Retailers (specifically Peddlers' Licenses) – Work Session scheduled for July 22, 2010, beginning at 6 PM.
  - Golf Cart Ordinance
- Personnel Policy Review

### **July 4<sup>th</sup> Festivities**

- I hope to see everyone in Town over the July 4<sup>th</sup> holiday.
- The Cape Charles Volunteer Fire Company will be holding their third annual seafood festival on Saturday, July 3<sup>rd</sup>.
- The Cape Charles July 4<sup>th</sup> Parade will start at 2:00 PM.
- There are plenty of activities around Town and at the Beach on Sunday, July 4<sup>th</sup>.

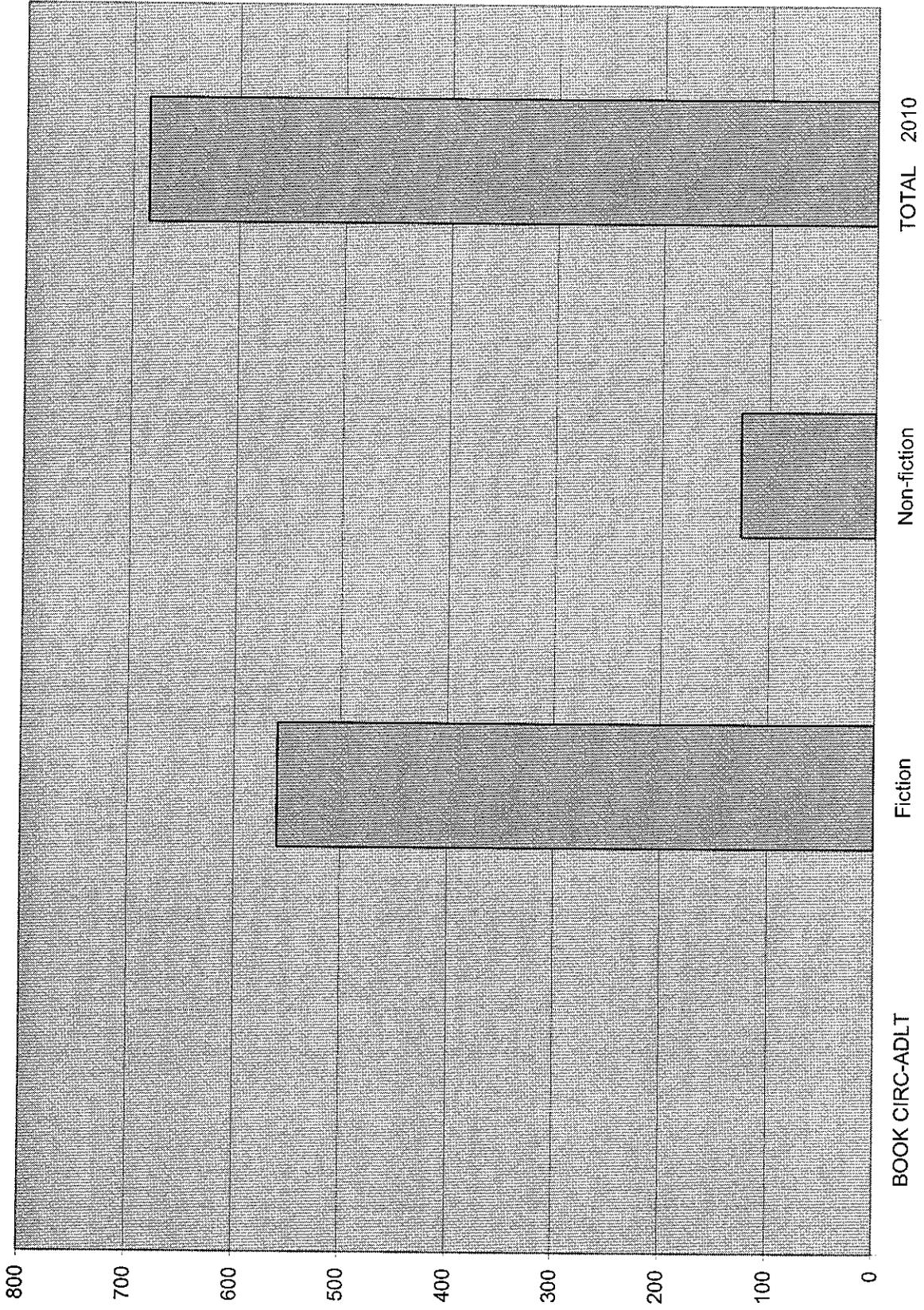
Recreation Report  
For Town Council  
July 8, 2010

1. Arts and crafts had a huge turn out due to the kids being out of school for the summer. We had 15 show up for arts and crafts and I actually had to return to my office for more supplies.
2. The Christian School is holding summer camps throughout the summer months. I visited them on June 22, 2010 to give a presentation on bicycle and skateboard helmet and we passed out helmets to all the kids present.
3. The Northampton County Chamber met on June 16, 2010 at the Eastville office. Joe Zager was present from Riverside Shore Memorial to discuss plans for the new hospital. Mr. Zager explained that the hospital of today is not the hospital of the past. We are seeing fewer overnight visits and more outpatient visits. Advances in medicine are making us a healthier community. He feels we will see more outpatient centers instead of a hospital with accommodations for inpatient services.
4. The birding festival will meet on June 28, 2010. I will not be able to attend this meeting but I will be one on one with Beth Davies, event coordinator, to discuss my role in securing locations for the event within Cape Charles. We have decided to move forward and there is a website now operating that will lead people in the right direction for questions or inquiries until the website is 100% operational.
5. I have closed out the grant for the bicycle helmets. This was a great success and many kids benefited from this grant.
6. Our first summer camp began June 28, 2010 with 12 in attendance for the first day. The first camp is field hockey and high school girls from the local high school have volunteered time to help with this camp.
7. We held a scavenger hunt on June 5, 2010. There were seven children and three adults participating. Everyone had a great time and the parents requested we hold a scavenger hunt just for adults.
8. The Beach Volleyball League began June 6, 2010. There are a total of six teams. We have a lot more youth participating then we did in the fall.

Cape Charles Memorial Library  
June 2010  
Monthly Report Presented by Ann Rutledge

1. **Toddler/Preschool Storytime** was held every Thursday morning at 10:30 and a total of 32 people attended. On Fridays we are again doing Storytime for the children from the Migrant Headstart Program and a total of 33 children visited the Library.
2. The **Friends of the Library** sponsored a **Harrington Slots Bus Trip** on Wednesday, June 9.
3. The **Cape Charles Library Board** met on June 9 at 5:00 at the Library.
4. The **2010 Summer Reading Program-Make a Splash-Read!** began at the Library on June 23. The library is decorated in a nautical theme with pirate flags, fishnet, and flying seagulls. As of June 30 we have had 56 children to sign up to read books over the summer. (Last summer the total for the summer was 55). Every time children read **2 books** they will receive a prize and if they read **10 books** they'll receive a free book.
5. Each week the library is presenting 3 programs for children! The programs are:
  - a) **Summer Crafts** with Jen Lewis at 4:00 on Wednesday. Arts and crafts for ages 2 up. Crafts are centered on the theme of the sea.
  - b) **Summer Kids Movie Nights** on Wednesday night at 5:00. Featuring the latest movies on DVD for kids with free popcorn, and sodas. Ages 12 and under. This month 46 children attended the movie night to see *Where the Wild Things Are* and the *Princess and the Frog*.
  - c) **2010 Summer Children's Reading Program** at 10:30 in the morning with music, stories, activities, and a special treat. All ages. Summer Library programs are sponsored by the Friends of the Library.
6. In conjunction with our **2010 Summer Reading Program** the Library will be presenting 3 special programs for the whole family this summer. They are:
  - a) July 22, 10:30-Hook a Book-Magician Rob Wescott
  - b) July 29 10:30-3:30 -Virginia Aquarium-Ocean in Motion
  - c) Aug. 12 4:30 -Delmarva Discovery Center





# Harbor Report, June, 2010.

## **Maintenance**

1. Not Much just basic everyday maintenance.

## **July's, Scheduled Maintenance**

1. basic routine maintenance.

## **Capitol Projects:**

1. Awaiting one more barge load of Armor stone to complete sections one and two of the offshore breakwaters.
2. Harbor Redevelopment plan "Phase One" is almost ready to be put out too bids.

## **Other:**

1. Fishing line recycling station will be place at the boat ramp area and in the harbor area by the VMRC.
2. Keep in mind when looking at the docking spreadsheets that FY 07/08 was the last year of Crab Dredging.
3. We past state fuel pump inspections.

# Harbor Report, June, 2010.

## Business:

### Average Boats in the Harbor per night by category:

1. **Nightly Rentals**, May - 3.2, Last Month - 3.2, FYTD - 1.3, Last FY - 1.4
2. **Weekly Rentals**, May - 14.9, Last Month - 25.9, FYTD - 7.6, Last FY - 5.6
3. **Monthly Rentals**, May - 10.8, Last Month - 10.0, FYTD - 11.8, Last FY - 10.6
4. **Seasonal Rentals**, May - 12, Last Month - 18, FYTD - 8.6, Last FY - 7.4
5. **Annual Rentals**, May - 28, Last Month - 50, FYTD - 25.7, Last FY - 21.6
6. **Total Rentals**, May - 68.9, Last Month - 104.1, FYTD - 55.1, Last FY - 46.6

### Wharf Fees by Pounds:

1. **Crabs**: June - 139,905, Last Month - 302,760, FYTD - 1,429,920, Last FY - 996,873.8
2. **Fish**: June - 3,900, Last Month - 5,000, FYTD - 501,141, Last FY - 366,630
3. **Conchs**: June - 0, Last Month - 5,720, FYTD - 73,580, Last FY - 45,695
4. **Horse Shoes**: June - 0, Last Month - 0, FYTD - 63,280, Last FY - 0
5. **Total Pounds**: June - 143,805, Last Month - 313,480, FYTD - 2,067,921, Last FY - 1,409,198.8

**Incidents:** None.

**Notes:** 4<sup>th</sup> Annual Blessing of the Fleet, Begins on April 8<sup>th</sup>, 2011 @ 5:30 pm.

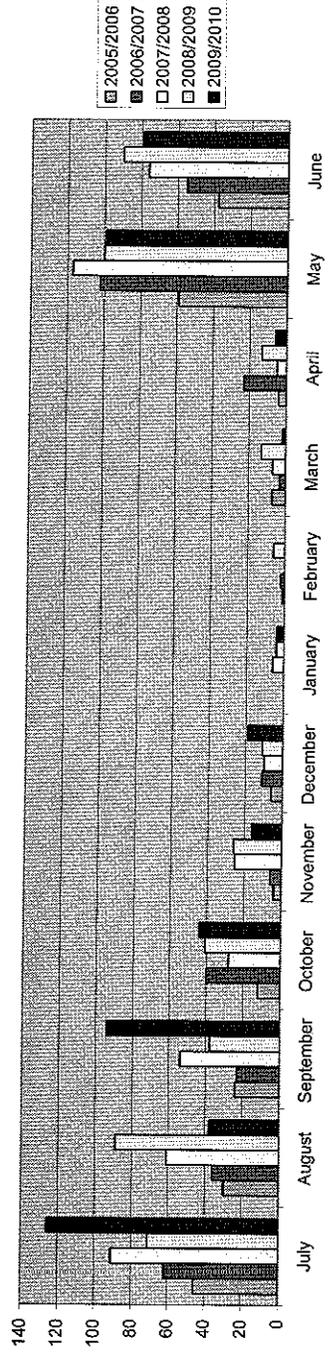
William Smith Dize Jr.  
Harbor Master  
July 30, 2010

**Cape Charles Town Harbor  
Boats Docked per Night (Nightly Rentals)  
FY 09/10**

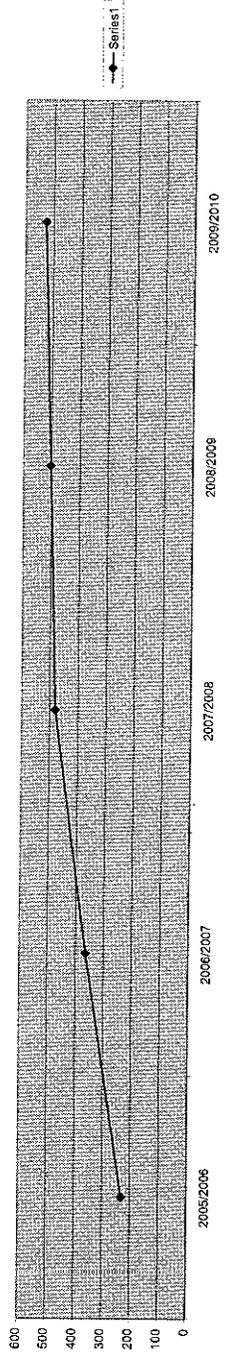
Budget Year Month	Rank	Average	Totals	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013
July	2	2.6	396.0	46.0	62.0	91.0	71.0	126.0			
August	4	1.8	254.0	30.0	36.0	61.0	89.0	38.0			
September	5	1.8	233.0	24.0	23.0	54.0	38.0	94.0			
October	6	1.1	165.0	12.0	40.0	28.0	41.0	44.0			
November	7	0.5	77.0	4.0	6.0	25.0	26.0	16.0			
December	8	0.4	57.0	6.0	11.0	10.0	11.0	19.0			
January	11	0.1	14.0	0.0	0.0	6.0	4.0	4.0			
February	11	0.1	9.0	0.0	2.0	0.0	6.0	0.0			
March	10	0.2	32.0	7.0	3.0	7.0	13.0	2.0			
April	9	0.3	51.0	4.0	23.0	5.0	13.0	6.0			
May	1	3.1	477.0	59.0	102.0	117.0	100.0	99.0			
June	3	2.3	338.0	38.0	55.0	76.0	90.0	79.0			
<b>Year Totals</b>	<b>1.2</b>	<b>2,103.0</b>	<b>231.0</b>	<b>231.0</b>	<b>363.0</b>	<b>480.0</b>	<b>502.0</b>	<b>527.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>Yearly Average</b>			<b>0.8</b>		<b>1.0</b>	<b>1.3</b>	<b>1.4</b>	<b>1.4</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013
July	46.0	62.0	91.0	71.0	126.0			
August	30.0	36.0	61.0	89.0	38.0			
September	24.0	23.0	54.0	38.0	94.0			
October	12.0	40.0	28.0	41.0	44.0			
November	4.0	6.0	25.0	26.0	16.0			
December	6.0	11.0	10.0	11.0	19.0			
January	0.0	0.0	6.0	4.0	4.0			
February	1.0	2.0	0.0	6.0	0.0			
March	7.0	3.0	7.0	13.0	2.0			
April	4.0	23.0	5.0	13.0	6.0			
May	59.0	102.0	117.0	100.0	99.0			
June	38.0	55.0	76.0	90.0	79.0			

**Nightly Docking**



**Year to Year**

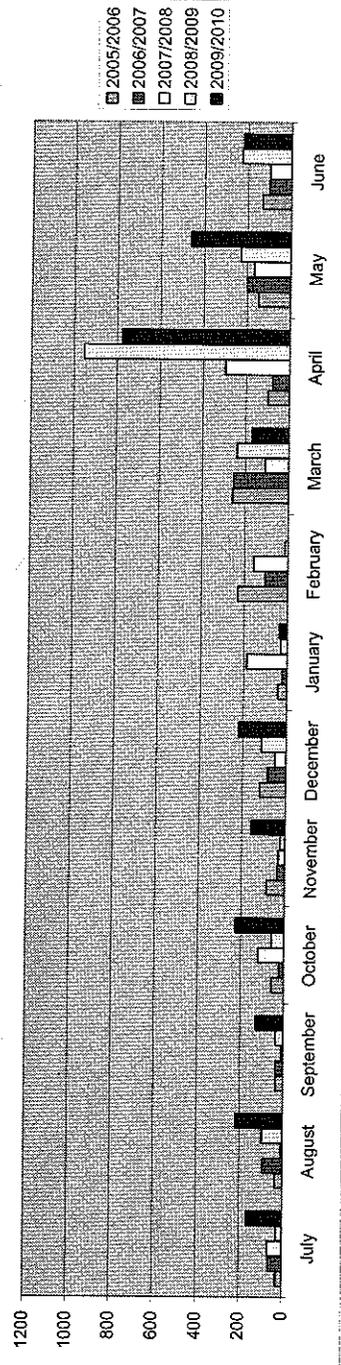


## Cape Charles Town Harbor Boats docked per night (Weekly Rentals) FY 09/10

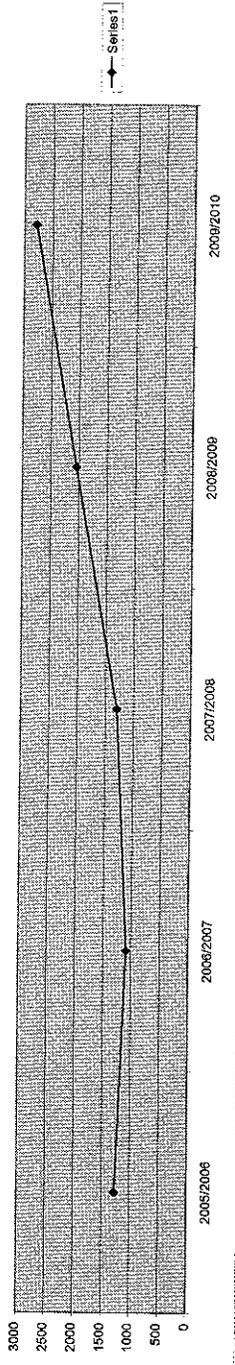
Budget Year	Rank	Average	Totals	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013
July	7	2.3	350.0	28.0	63.0	66.0	27.0	166.0			
August	6	2.9	447.0	35.0	91.0	7.0	95.0	219.0			
September	11	1.6	241.0	35.0	35.0	7.0	35.0	129.0			
October	5	3.1	476.1	56.0	21.0	119.0	56.0	226.1			
November	12	2.2	323.5	84.0	35.0	28.0	21.0	155.5			
December	8	1.1	585.9	119.0	84.0	49.0	113.0	220.9			
January	10	2.0	313.0	42.0	21.0	186.0	28.0	36.0			
February	9	3.6	508.0	231.0	105.0	158.0	14.0	0.0			
March	3	6.7	1,032.0	259.0	255.0	107.0	241.0	170.0			
April	1	14.7	2,202.8	98.0	77.0	297.0	95.0	776.8			
May	2	7.8	1,208.0	147.0	200.0	168.0	231.0	462.0			
June	4	5.2	778.0	131.0	100.0	99.0	227.0	221.0			
<b>Year Totals</b>	<b>4.6</b>	<b>8,467.3</b>	<b>1,265.0</b>	<b>1,087.0</b>	<b>3.0</b>	<b>1,291.0</b>	<b>3.5</b>	<b>2,762.3</b>	<b>7.6</b>	<b>0.0</b>	<b>0.0</b>
<b>Yearly Average</b>			<b>3.5</b>			<b>3.0</b>		<b>5.6</b>		<b>0.0</b>	<b>0.0</b>

	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013
July	28.0	63.0	66.0	27.0	166.0			
August	35.0	91.0	7.0	85.0	219.0			
September	35.0	35.0	7.0	35.0	129.0			
October	56.0	21.0	119.0	56.0	226.1			
November	84.0	35.0	28.0	21.0	155.5			
December	119.0	84.0	49.0	113.0	220.9			
January	42.0	21.0	186.0	28.0	36.0			
February	231.0	105.0	158.0	14.0	0.0			
March	259.0	255.0	107.0	241.0	170.0			
April	98.0	77.0	297.0	95.0	776.8			
May	147.0	200.0	168.0	231.0	462.0			
June	131.0	100.0	99.0	227.0	221.0			

**Weekly Docking**



**Year to Year**

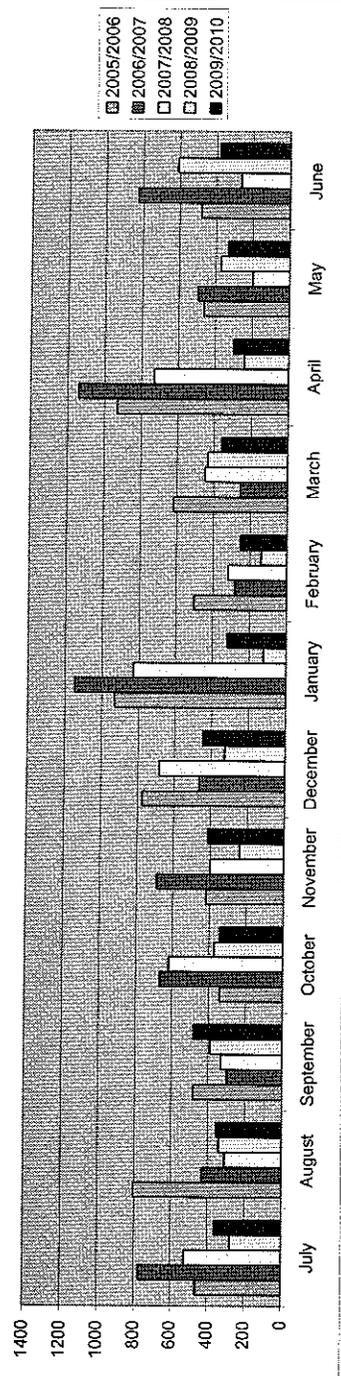


## Cape Charles Town Harbor Boats Docked per night (Monthly Rentals) FY 09/10

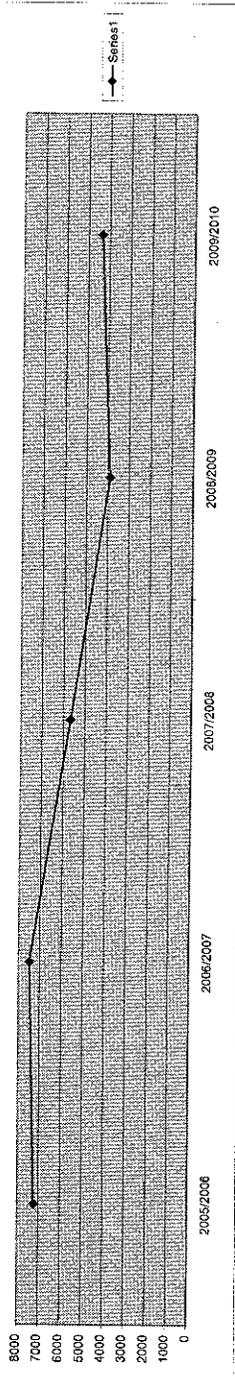
Budget Year Month	Rank	Average	Totals	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013
July	5	15.5	2,409.6	465.0	775.0	527.0	279.0	363.6			
August	7	14.5	2,246.0	806.0	434.0	310.0	341.0	355.0			
September	10	13.2	1,980.0	480.0	300.0	330.0	390.0	480.0			
October	6	15.1	2,341.0	341.0	667.0	620.0	372.0	341.0			
November	8	14.4	2,160.2	420.0	690.0	398.0	240.0	412.2			
December	3	17.4	2,698.3	775.0	465.0	682.0	328.0	448.3			
January	2	21.6	3,348.1	930.0	1,147.0	829.0	124.0	318.1			
February	12	10.7	1,495.0	504.0	280.0	319.0	140.0	252.0			
March	9	13.6	2,114.0	620.0	254.0	448.0	434.0	358.0			
April	1	22.3	3,340.0	930.0	1,140.0	730.0	240.0	300.0			
May	11	12.0	1,866.1	465.0	495.0	195.0	372.0	335.1			
June	4	17.1	2,563.1	480.0	825.0	266.0	612.0	380.1			
<b>Year Totals</b>	<b>15.7</b>	<b>28,861.3</b>	<b>7,216.0</b>	<b>19.8</b>	<b>20.5</b>	<b>15.5</b>	<b>10.6</b>	<b>4,343.3</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>Yearly Average</b>											

	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013
July	465.0	775.0	527.0	279.0	363.6			
August	806.0	434.0	310.0	341.0	355.0			
September	480.0	300.0	330.0	390.0	480.0			
October	341.0	667.0	620.0	372.0	341.0			
November	420.0	690.0	398.0	240.0	412.2			
December	775.0	465.0	682.0	328.0	448.3			
January	930.0	1,147.0	829.0	124.0	318.1			
February	504.0	280.0	319.0	140.0	252.0			
March	620.0	254.0	448.0	434.0	358.0			
April	930.0	1,140.0	730.0	240.0	300.0			
May	465.0	495.0	195.0	372.0	335.1			
June	480.0	825.0	266.0	612.0	380.1			

**Monthly Docking**



**Year to Year**

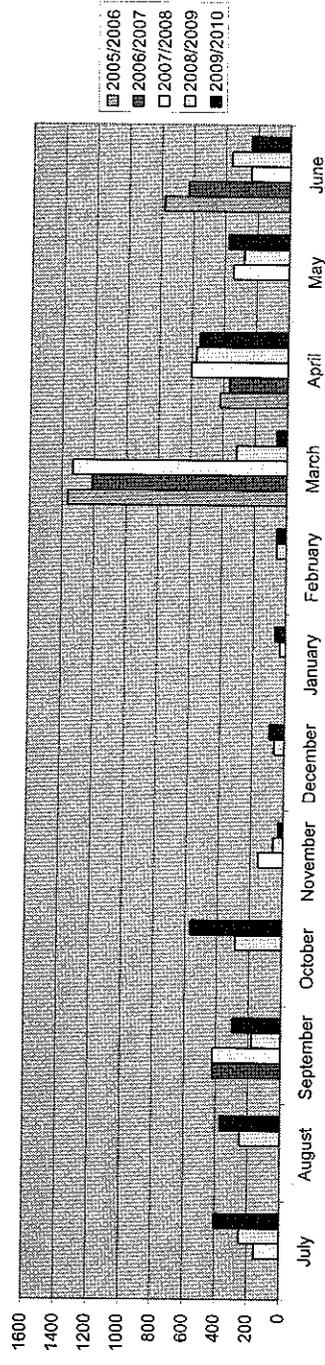


## Cape Charles Town Harbor Boats Docked per night (Seasonal Rentals) FY 09/10

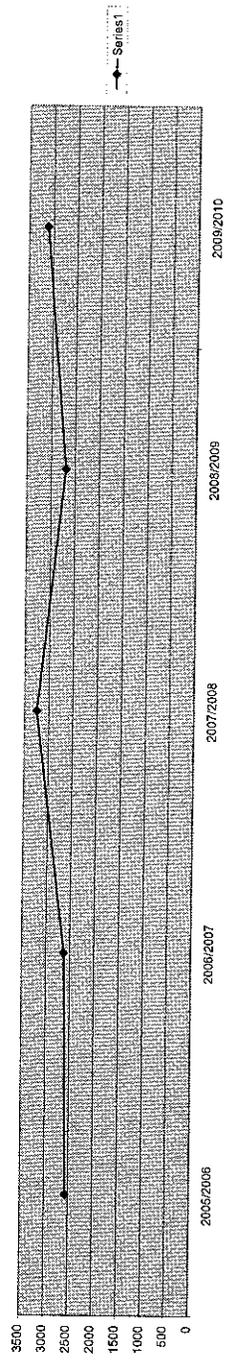
Budget Year	Rank	Average	Totals	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013
July	7	5.2	805.0	0.0	0.0	155.0	248.0	403.0			
August	8	4.0	620.0	0.0	0.0	0.0	248.0	372.0			
September	4	8.8	1,320.0	0.0	420.0	420.0	180.0	300.0			
October	6	5.5	850.0	0.0	0.0	0.0	284.0	566.0			
November	9	1.6	240.0	0.0	0.0	150.0	60.0	30.0			
December	10	1.0	155.0	0.0	0.0	0.0	62.0	93.0			
January	12	0.6	93.0	0.0	0.0	0.0	31.0	62.0			
February	11	0.8	112.0	0.0	0.0	0.0	56.0	56.0			
March	1	27.6	4,278.0	1,364.0	1,209.0	1,333.0	310.0	62.0			
April	2	16.7	2,500.0	420.0	360.0	600.0	570.0	550.0			
May	5	6.5	1,000.0	0.0	0.0	344.0	279.0	377.0			
June	3	15.0	2,250.0	780.0	630.0	240.0	360.0	240.0			
<b>Year Totals</b>	<b>7.8</b>	<b>14,224.0</b>	<b>2,564.0</b>	<b>7.0</b>	<b>7.2</b>	<b>8.9</b>	<b>7.4</b>	<b>8.5</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
		<b>Yearly Average</b>									

	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013
July	0.0	0.0	155.0	248.0	403.0			
August	0.0	0.0	0.0	248.0	372.0			
September	0.0	420.0	420.0	180.0	300.0			
October	0.0	0.0	0.0	284.0	566.0			
November	0.0	0.0	150.0	60.0	30.0			
December	0.0	0.0	0.0	62.0	93.0			
January	0.0	0.0	0.0	31.0	62.0			
February	0.0	0.0	0.0	56.0	56.0			
March	1364.0	1209.0	1333.0	310.0	62.0			
April	420.0	360.0	600.0	570.0	550.0			
May	0.0	0.0	344.0	279.0	377.0			
June	780.0	630.0	240.0	360.0	240.0			

### Seasonal Docking



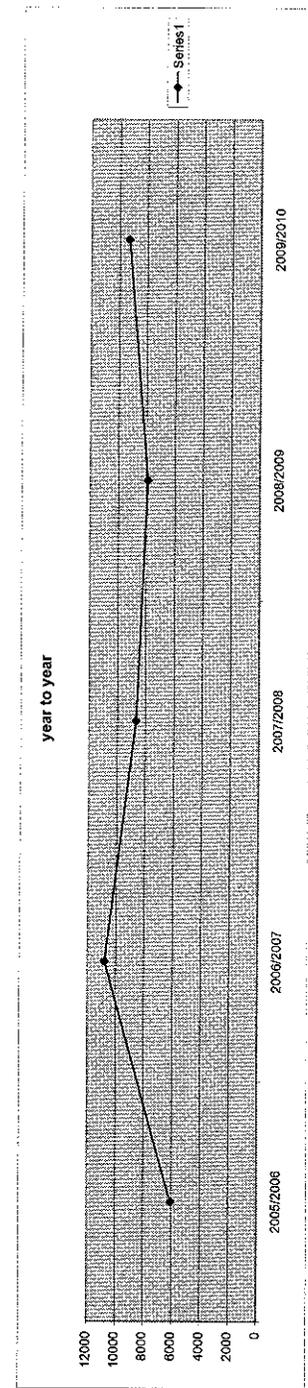
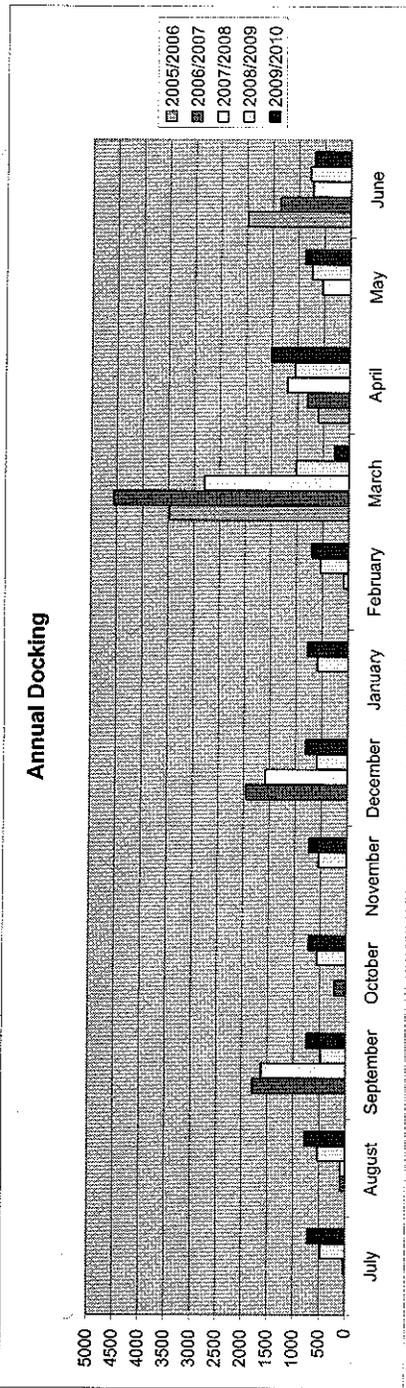
### Year To Year



## Cape Charles Town Harbor Boats Docked per Night (Annual Rentals) FY 09/10

Budget Year Month	Rank	Average	Totals	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013
July	10	7.8	1,209.0	0.0	0.0	31.0	465.0	713.0			
August	7	9.6	1,486.0	0.0	93.0	93.0	527.0	775.0			
September	4	31.0	4,650.0	0.0	1,800.0	1,620.0	480.0	750.0			
October	7	9.6	1,486.0	0.0	217.0	0.0	558.0	713.0			
November	9	8.4	1,260.0	0.0	0.0	0.0	540.0	720.0			
December	3	31.8	4,929.0	0.0	1,953.0	1,581.0	589.0	806.0			
January	8	8.8	1,364.0	0.0	0.0	0.0	589.0	775.0			
February	7	9.4	1,319.0	0.0	0.0	87.0	532.0	700.0			
March	1	78.2	12,121.0	3,472.0	4,567.0	2,790.0	1,023.0	700.0			
April	5	43.1	5,170.0	600.0	810.0	1,200.0	1,050.0	279.0			
May	6	13.8	2,141.0	0.0	0.0	537.0	736.0	868.0			
June	2	36.8	5,520.0	1,980.0	1,350.0	720.0	780.0	690.0			
<b>Year Totals</b>	<b>23.4</b>	<b>42,659.0</b>	<b>42,659.0</b>	<b>6,052.0</b>	<b>10,780.0</b>	<b>8,659.0</b>	<b>7,869.0</b>	<b>9,299.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>Yearly Average Boats per night</b>				<b>16.6</b>	<b>29.5</b>	<b>23.7</b>	<b>21.6</b>	<b>25.5</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013
July	0.0	0.0	31.0	465.0	713.0			
August	0.0	93.0	93.0	527.0	775.0			
September	0.0	1800.0	1620.0	480.0	750.0			
October	0.0	217.0	0.0	558.0	713.0			
November	0.0	0.0	0.0	540.0	720.0			
December	0.0	1953.0	1581.0	589.0	806.0			
January	0.0	0.0	0.0	589.0	775.0			
February	0.0	0.0	87.0	532.0	700.0			
March	3472.0	4557.0	2790.0	1023.0	700.0			
April	600.0	810.0	1200.0	1050.0	279.0			
May	0.0	0.0	537.0	736.0	868.0			
June	1980.0	1350.0	720.0	780.0	690.0			

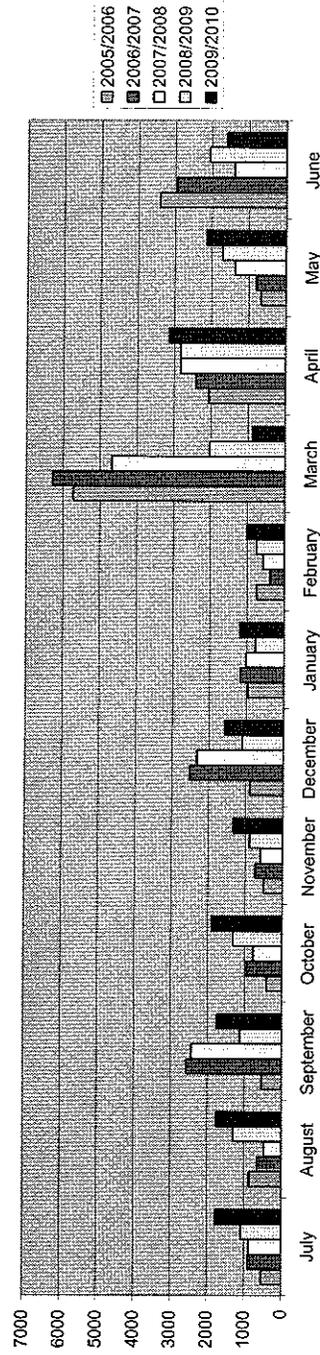


**Cape Charles Town Harbor  
Boats docked per night (All Categories)  
FY 09-10**

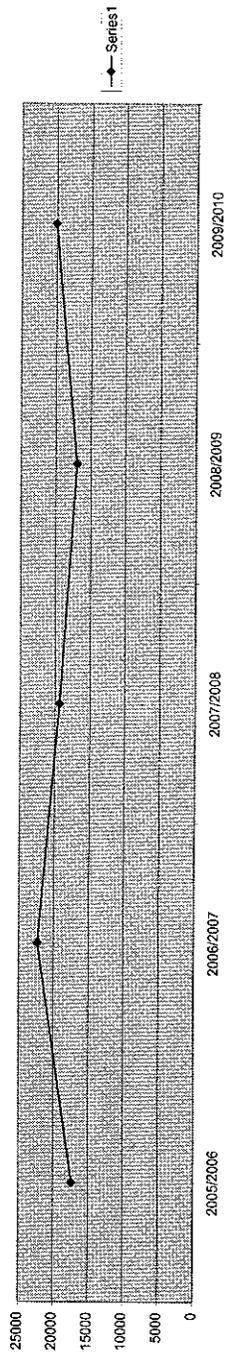
Budget Year Month	Rank	Average	Totals	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013
July	8	33.4	5,170.6	539.0	900.0	870.0	1,090.0	1,771.6	0.0	0.0	0.0
August	10	32.6	5,055.0	871.0	654.0	471.0	1,300.0	1,759.0	0.0	0.0	0.0
September	4	56.2	8,424.0	539.0	2,578.0	2,431.0	1,123.0	1,753.0	0.0	0.0	0.0
October	7	34.3	5,322.1	409.0	945.0	767.0	1,311.0	1,890.1	0.0	0.0	0.0
November	11	27.1	4,060.7	508.0	731.0	601.0	887.0	1,353.7	0.0	0.0	0.0
December	5	54.4	8,425.2	900.0	2,513.0	2,322.0	1,103.0	1,587.2	0.0	0.0	0.0
January	9	33.1	5,132.0	972.0	1,168.0	1,021.0	776.0	1,195.0	0.0	0.0	0.0
February	12	24.6	3,443.0	736.0	387.0	564.0	748.0	1,008.0	0.0	0.0	0.0
March	1	126.3	19,577.0	5,722.0	6,276.0	4,685.0	2,021.0	871.0	0.0	0.0	0.0
April	2	88.4	13,263.8	2,052.0	2,410.0	2,832.0	2,827.0	3,142.8	0.0	0.0	0.0
May	6	43.2	6,692.1	671.0	798.0	1,364.0	1,718.0	2,141.1	0.0	0.0	0.0
June	3	76.3	11,449.1	3,409.0	2,980.0	1,401.0	2,069.0	1,610.1	0.0	0.0	0.0
<b>Year Totals</b>		<b>52.61</b>	<b>96,014.6</b>	<b>17,328.0</b>	<b>23,322.0</b>	<b>19,329.0</b>	<b>16,973.0</b>	<b>20,062.8</b>	<b>55.0</b>	<b>0.0</b>	<b>0.0</b>
<b>Average Boats Per/Night in Harbor</b>				<b>47.5</b>	<b>61.2</b>	<b>53.0</b>	<b>46.5</b>	<b>55.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013
July	539.0	900.0	870.0	1,090.0	1,771.6			
August	871.0	654.0	471.0	1,300.0	1,759.0			
September	539.0	2,578.0	2,431.0	1,123.0	1,753.0			
October	409.0	945.0	767.0	1,311.0	1,890.1			
November	508.0	731.0	601.0	887.0	1,353.7			
December	900.0	2,513.0	2,322.0	1,103.0	1,587.2			
January	972.0	1,168.0	1,021.0	776.0	1,195.0			
February	736.0	387.0	564.0	748.0	1,008.0			
March	5,722.0	6,276.0	4,685.0	2,021.0	871.0			
April	2,052.0	2,410.0	2,832.0	2,827.0	3,142.8			
May	671.0	798.0	1,364.0	1,718.0	2,141.1			
June	3,409.0	2,980.0	1,401.0	2,069.0	1,610.1			

**Total Docking**



**Year By Year**



## **PUBLIC WORKS**

**June 2010**

### **Dump Fees**

- **Oyster Landfill** – 11 Trips    Work Orders generated: Not Available
- **Sludge- 0 Tons**                    Work Orders Completed: Not Available

### **Staff Report**

### **Completed Projects**

- Work is completed on Beach replenishment and maintenance.
- Repairs and maintenance on Beach Gazebo.

### **In Progress**

- Construction at Bay and Mason for Beach access, and handicap ramp.

### **Upcoming Projects**

- New beach access walks at Jefferson, Madison, and Monroe.
- Kayak access at Washington Ave.
- Repairs to Fun Pier and Boardwalk. (FEMA)
- Replace library doors.

### **Special Events**

- July 4<sup>th</sup>
- MS Bike Race

# PUBLIC UTILITIES

June 2010

## Work Orders Completed

Miss Utility Tickets:25

Responded To Fire and Rescue Calls, Total Man Hours: Not Available

## Staff Report

- Billy Powell attended 40 hour cross connection sponsored by Virginia Rural Water Association in Williamsburg.

## Completed Projects

- Received bids for two new wells. Bid awarded to Bundick Well and Pump.
- Reviewed E&S plans for Bay Shore Storm Water Project.
- Painted yard items at water plant and East Well III site.
- Completed locate, inventory, and exercise water and sewer main valves in Bay Creek.
- Completed and delivered door to door and available on web site the annual drinking water consumer confidence report.
- Completed and submitted to VDH the Initial Distribution System Evaluation Report for Standard Monitoring which is a study of the chlorination byproducts existing in our system. The results of this study are also contained in the Consumer Confidence Report.

## New WWTP

- Continue to review and modify plans for Mason Ave Pump Station upgrades.
- More walls of the head works and reactor tanks have been poured.

## In Progress

- Awaiting response from DEQ for our Ground Water withdrawal permit. Must be revised to delete East Well II and add Keck Wells I & II. (Month 28)
- Exercise and repair fire hydrants in town.

## Upcoming Projects

- Mason Ave Pump Station upgrades and force main rerouting.
- Fig Street Force Main rerouting.
- Install of new metering system for chemical feed pumps at the water plant.

Code Enforcement  
Month of June FY 2010

**Building Permits Issued/Permit Fees Collected:**

Permits this month: 27	
Permits this year: 200	Total permits last year: 232
Total construction this month: \$640,485	
Total construction this year: \$3,967,519	Total construction last fiscal year: \$3,018,411
Permit fees this month: \$26,861.92	
Total permit fees this fiscal year: \$63,902.48	Total permit fees last fiscal year: \$60,740.12
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: \$20,000	
Old-Town Water/Sewer Tap fees: \$0	
Total Tap fees this year: \$20,000	Total Tap fees last fiscal year: \$30,141
Fire Dept. levy this month: \$454.64	
Total Fire Dept. levies this year: \$3,282.54	Total Fire Dept. levies last fiscal year: \$3,422.80
State levy this month: \$90.93	
Total state levies this year: \$664.67	Total state levies last fiscal year: \$592.09
Miscellaneous Revenue: \$0	

**Existing Structures Code Enforcement Cases:**

Total Cases: 27	
New this month: 0	
Closed this month: 1	
Rental Inspections: 1	
Rental C.O's Issued: 1	
Rental Inspection fees collected: \$50	
Grass cutting enforcement: 10	
Grass cutting: 6	
Enforcement fees charged this month: \$900.00	
Enforcement fees charged this year: \$7,351.98	Fees charged last fiscal year: \$2,945.23
Enforcement fees collected: \$0	
Enforcement fees collected this year: \$2,768.58	Fees collected last fiscal year: \$11,761.63

**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: 2  
Closed: 4  
Unresolved: 55

Month of June FY10

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

Hours spent working on project this month: 60

*Key Notes:*

- Construction is moving along very smoothly now
- Over 98% of Sidewalk around park is now completed
- The North and East Node Brick Pavers have been installed.
- The Handicapped ramp around the gazebo has been finished.
- All Memorial Trees have been moved and stacked into their final resting place.
- The Fountain that is to be installed in the West Node has been ordered and should be installed by the first week of August.
- All Light Pole Bases have been poured and are ready for light poles.
- The pre-cast cap has been installed on the retaining wall.

**Other items of note:**

1. Completed 50 inspections
2. Conducted 2 zoning clearances
3. Completed 2 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 1 residential plan reviews
8. Issued 0 Public Utilities Shallow Well permits
9. Continued working on budget for upcoming fiscal year.
10. Working on a Code Enforcement case on a property in Bay Creek. Received numerous complaints regarding the building that is in an unsafe/uninhabitable condition.
11. Attended meeting for the updating of the Eastern Shore Hazard Mitigation Plan.
12. Made site inspections throughout the month on the New Waste Water Treatment Plant Project.

**Reminder: Cape Charles Central Park will be closed until further notice.**

**Basketball Court, Tennis Courts, and Playground will remain open unless otherwise noted. Please access these facilities from Madison Avenue.**

07/01/10

# Permit/Construction Fee Report

Map Number	Permit #	Type	Date	Address	Work description	Permit Fee	Value
	PB100041	Building	06/01/2010	538 Tazewell Avenue	tear off/reroof	\$112.00	\$7,500
	PB100042	Building	06/01/2010	420 Tazewell Avenue	Tear off sheathing replace sheathing and r	\$56.00	\$1,785
	PB100043	Building	06/07/2010	212 Bay Avenue	alteration to fix water damage <input type="checkbox"/> new floor	\$352.00	\$30,000
083A1-0700-00	PB100044	Building	06/07/2010	605 Peach Street	adding a rear deck	\$56.00	\$600
	PB100045	Building	06/11/2010	555 Mason Avenue A	Install Sign	\$50.00	\$200
	PB100046	Building	06/14/2010	15 East Bay Drive	Res Alteration to Complete House Started i	\$700.00	\$110,000
	PB100047	Building	06/17/2010	527 Walbridge Bend	new's/f res.	\$22,673.36	\$350,000
	PB100048	Building	06/15/2010	110 Tazewell Avenue	tear off/reroof	\$109.20	\$7,250
	PB100049	Building	06/15/2010	300 Fulcher Street	swimming pool & deck	\$56.00	\$2,500
	PB100050	Building	06/28/2010	106 Randolph Avenue	Adding new screen porch	\$196.00	\$20,000
083A1-0100-19	PB100051	Building	06/24/2010	529 Madison Avenue	porch repair	\$56.00	\$2,500
083A1-0700-00	PEI00019	Electrical	06/07/2010	605 Peach Street	electrical for res.	\$56.00	\$400
	PEI00020	Electrical	06/08/2010	120 Creekside Lane	Temporary Pole	\$56.00	\$500
	PEI00021	Electrical	06/10/2010	212 Bay Avenue	updating 3 circuits	\$56.00	\$1,300
	PEI00022	Electrical	06/15/2010	300 Fulcher Street	electrical for pool	\$56.00	\$250
	PEI00023	Electrical	06/16/2010	209 Madison Avenue	Service Upgrade to 200 Amp	\$56.00	\$1,500
	PEI00024	Electrical	06/22/2010	15 East Bay Drive	new electrical for res.	\$146.72	\$11,200
	PES10000	Erosion & Sed	06/10/2010	1134 Bayshore Lane	.39 acres	\$860.00	\$3,000
	PG100007	Gas	06/14/2010	15 East Bay Drive	Gas piping for res.	\$56.00	\$350
	PM100008	Mechanical	06/07/2010	610 Pine Street	New mechanical	\$137.76	\$9,800
083A4-0200-00	PM100009	Mechanical	06/14/2010	711 Tazewell Avenue,	new mech for res.	\$252.00	\$30,000
	PM100010	Mechanical	06/16/2010	15 East Bay Drive	new mech for res.	\$162.40	\$14,000
083A3-0205-00	PM100011	Mechanical	06/28/2010	105 Tazewell Avenue	New 2 ton heat pump	\$91.84	\$5,700
083A1-0700-00	PP100009	Plumbing	06/07/2010	605 Peach Street	plumbing for res	\$56.00	\$700
	PP100010	Plumbing	06/09/2010	212 Bay Avenue	repiping for 5 radiators	\$133.84	\$9,450
	PP100011	Plumbing	06/14/2010	15 East Bay Drive	new plumbing for res.	\$151.20	\$12,000
	PP100012	Plumbing	06/29/2010	207 Tazewell Avenue	Renovation with baths and electric water	\$117.60	\$8,000

07/01/10

# Permit/Construction Fee Report

Map Number	Permit #	Type	Date	Address	Work description	Permit Fee	Value	
<b>Total Permits: 27</b>							<b>\$26,861.92</b>	<b>\$640,485</b>

PerDateIssuedRange from 06/01/2010 to 06/30/2010

## MONTHLY INSPECTION TOTALS

Jeb Brady

FINAL	06/28/2010
COURTESY (Flo	06/10/2010
Footing	06/24/2010
Final	06/29/2010
Framing	06/11/2010
Framing	06/15/2010
Insulation	06/21/2010
Framing	06/23/2010
Framing	06/03/2010
Sheathing	06/08/2010
Framing	06/08/2010
Framing (Floor)	06/04/2010
Framing	06/21/2010
Insulation	06/22/2010
Framing	06/30/2010
Footing	06/21/2010
Sheathing(Partial)	06/17/2010
Sheathing	06/23/2010
Sheathing	06/30/2010
Footing	06/30/2010
Final	06/29/2010
Rough-In	06/11/2010
CUT-IN	06/21/2010
Rough-In	06/21/2010
Final	06/29/2010
CUT-IN	06/23/2010
Final	06/24/2010
CUT-IN	06/24/2010
Rough-In	06/15/2010
Final	06/21/2010
CUT-IN	06/21/2010
Rough-In	06/30/2010
Sprinkler hydro	06/01/2010
Undrgrnd Flush	06/15/2010
Final	06/29/2010
Pressure/R.I.	06/30/2010
Final	06/29/2010
Rough-In	06/14/2010

MONTHLY INSPECTION TOTALS

	Rough-In	06/30/2010
Total		39

David Fauber

SLAB ROUGH IN 06/02/2010

SLAB ROUGH IN 06/02/2010

SLAB ROUGH IN 06/21/2010

SLAB ROUGH IN 06/21/2010

Total		4
-------	--	---

Jeb Brady

Final 06/29/2010

Rough-In 06/11/2010

Rough-In 06/15/2010

Rough-In 06/21/2010

Rough-In 06/16/2010

Rough-In 06/30/2010

Tank in Place 06/14/2010

Total		7
-------	--	---

Grand Total		50
-------------	--	----

InsDateCompleted Range from  
06/01/2010 to 06/30/2010

# Revenue Totals by Category/Items

From: 06/01/2010 to: 06/30/2010

<b>Inspection</b>		
Sewer Tap Insp	1	\$50.00
Water Tap Insp	1	\$50.00
<b>Inspection totals</b>	<b>2</b>	<b>\$100.00</b>

<b>Miscellaneous</b>		
After fact permit Admin fee	1	\$100.00
E/S Agreement in lieu of plan	1	\$150.00
Fire Dept Fee	25	\$454.64
Res. Sewer Connection	1	\$875.00
Res. Sewer Facility	1	\$13,150.00
Res. Water Connection	1	\$875.00
Res. Water Facility	1	\$5,100.00
<b>Miscellaneous totals</b>	<b>31</b>	<b>\$20,704.64</b>

<b>Permit Fee</b>		
	1	\$500.00
<b>Permit Fee totals</b>	<b>1</b>	<b>\$500.00</b>

<b>Plan Review</b>		
Sewer Plan Rev	1	\$30.00
Water Plan Rev	1	\$30.00
<b>Plan Review totals</b>	<b>2</b>	<b>\$60.00</b>

<b>Rental Fee</b>		
RENTAL INSPECTION	1	\$50.00
<b>Rental Fee totals</b>	<b>1</b>	<b>\$50.00</b>

<b>Residential</b>		
Valuation Res \$10K >	1	\$131.00
<b>Residential totals</b>	<b>1</b>	<b>\$131.00</b>

<b>Review</b>		
Landscape Plan Review	1	\$100.00
Residential Building Plan Revi	1	\$200.00
Residential Site Plan Review	1	\$150.00

<b>Review totals</b>	<b>3</b>	<b>\$450.00</b>
<b>State Tax</b>		
STATE TAX	25	\$90.93
<b>State Tax totals</b>	<b>25</b>	<b>\$90.93</b>
<b>Valuation</b>		
Com \$0 - \$2.5K	1	\$50.00
E & S Plan Review Fee	1	\$360.00
Garage- 5B	1	\$50.80
Residential decks & porches- 5B	1	\$183.05
Residential, one and two family- 5B	1	\$1,474.50
Valuation Res \$0 - \$2.5K	1	\$50.00
Valuation Res \$0-\$2.5K	10	\$500.00
Valuation Res \$2.5K - 10K	5	\$507.50
Valuation Res \$2.5K-\$10K	1	\$119.50
Valuation Res > \$10K	6	\$1,530.00
<b>Valuation totals</b>	<b>28</b>	<b>\$4,825.35</b>
<b>Grand Totals</b>	<b>94</b>	<b>\$26,911.92</b>

Code Enforcement  
FY 2010

**Building Permits Issued/Permit Fees Collected:**

Permits this year: 200	Total permits last year: 232
Total construction this year: \$3,967,699	Total construction last fiscal year: \$3,018,411
Total permit fees this fiscal year: \$63,874.98	Total permit fees last fiscal year: \$60,740.12
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: \$20,000	
Old-Town Water/Sewer Tap fees: \$0	
Total Tap fees this year: \$20,000	Total Tap fees last fiscal year: \$30,141
Total Fire Dept. levies this year: \$3,282.54	Total Fire Dept. levies last fiscal year: \$3,422.80
Total state levies this year: \$656.67	Total state levies last fiscal year: \$592.09

Code Enforcement Performed 433 Inspections this Fiscal Year.

07/01/10

# Permit/Construction Fee Report

Map Number	Permit#	Type	Date	Address	Work description	Permit Fee	Value
	PB090044	Building	07/02/2009	111 Tazewell Avenue	tear off/rooof	\$145.60	\$11,000
	PB090046	Building	07/13/2009	221 Monroe Avenue	Finish work started by another contractor (	\$56.00	\$400
	PB090047	Building	07/15/2009	210 Tazewell Avenue	tear off/ reroof	\$117.60	\$8,000
	PB090049	Building	08/13/2009	426 Randolph Avenue	Alteration to abate code violations	\$184.80	\$18,000
	PB090050	Building	08/04/2009	109 Plum Street	Change of use of old part of Church to Edu	\$418.00	\$10,000
083A3-0100-27	PB090051	Building	08/10/2009	519 Monroe Avenue	finish up work for C.O.	\$56.00	\$2,500
	PB090052	Building	08/14/2009	634 Randolph Avenue	interior demolition only	\$56.00	\$2,500
	PB090053	Building	08/18/2009	637 Madison Avenue	interior demolition and insulating with new g	\$134.40	\$9,500
	PB090054	Building	08/26/2009	116 Tazewell Avenue	tear off/rooof	\$168.00	\$15,000
	PB090055	Building	09/01/2009	622 Monroe Avenue	interior demolition and demolish porch roof	\$56.00	\$2,500
	PB090056	Building	09/14/2009	606 Jefferson Avenue	new s/f res.	\$1,617.71	\$119,500
083A1-0900-00	PB090057	Building	09/01/2009	504 Nectarine Street	Re-siding w/hardplank and new windows	\$84.00	\$5,000
083A1-0900-00	PB090058	Building	09/01/2009	508 Nectarine Street	Re-siding and replacement windows same	\$84.00	\$5,000
	PB090059	Building	09/03/2009	213 Mason Avenue	Change of use from B to M	\$84.00	\$500
	PB090060	Building	09/14/2009	622 Monroe Avenue	interior renovation	\$172.48	\$15,800
	PB090061	Building	09/17/2009	239 Mason Avenue	demolition of rear wall, elevator tower, and	\$100.80	\$4,000
	PB090062	Building	09/22/2009	300 Mason Avenue	30x40 tent on west parking lot	\$84.00	\$2,500
083A3-0A00-0	PB090063	Building	12/08/2009	622 Monroe Avenue	1332 sq. ft. addition	\$866.46	\$40,000
	PB090064	Building	10/08/2009	4 Crystal Lake Court	new s/f res	\$2,784.33	\$400,000
	PB090065	Building	10/14/2009	243 Mason Avenue	comm alt per app	\$240.80	\$14,000
	PB090066	Building	10/15/2009	500 Bayshore Road	Four Construction Trailers	\$0.00	\$0
	PB090067	Building	10/26/2009	102 Mason Avenue	to abate code violations	\$84.00	\$2,500
	PB090068	Building	10/28/2009	7 Carisa Court	new s/f res	\$2,694.88	\$380,000
	PB090069	Building	10/28/2009	239 Mason Avenue	engineered roof system w/new trusses	\$319.20	\$21,000
	PB090070	Building	10/29/2009	511 Jefferson Avenue	adding small roof over front doors	\$84.00	\$1,650
083A3-0100-46	PB090071	Building	11/10/2009	522 Tazewell Avenue	new roof	\$280.00	\$35,000
	PB090072	Building	11/11/2009	130 Sunset Blvd.	new s/f res.	\$4,370.87	\$550,000
	PB090073	Building	11/23/2009	616 Tazewell Avenue	kitchen renovation to include new wall	\$176.40	\$16,500
083A3-0100-44	PB090074	Building	11/30/2009	550 Tazewell Avenue	Alteration to replace rot on enclosed porch	\$319.20	\$21,000
083A1-0100-02	PB090075	Building	12/02/2009	528 Washington Aven	528B-install new fire rated ceiling due to d	\$56.00	\$2,500
	PB090076	Building	12/02/2009	10 Peach Street	replacing 2 crickets on roof due to rot	\$89.60	\$3,000

07/01/10

# Permit/Construction Fee Report

Map Number	Permit #	Type	Date	Address	Work description	Permit Fee	Value
083A1-0100-08	PB090077	Building	12/03/2009	309 Jefferson Avenue	installing new fascia, and soffits due to rot	\$84.00	\$950
083A3-0100-46	PB090078	Building	12/08/2009	522 Tazewell Avenue	170 sq. ft. accessory building	\$56.00	\$2,500
	PB090079	Building	12/08/2009	518 Washington Avenue	tear off/ reroof	\$62.72	\$3,100
	PB090080	Building	12/15/2009	17 East Bay Drive	new flat roof to include new sheathing	\$224.00	\$25,000
	PB090081	Building	12/29/2009	315 Randolph Avenue	enclosing porch on back of structure	\$61.60	\$3,000
	PB090082	Building	12/29/2009	239 Mason Avenue	Commercial Buildout to R-1 Hotel	\$2,215.60	\$168,000
	PB100001	Building	01/07/2010	613 Peach Street	permit to obtain final inspection and C.O.	\$56.00	\$2,500
	PB100002	Building	01/11/2010	207 Tazewell Avenue	interior demolition and rehabing siding	\$100.80	\$6,500
083A3-0100-32	PB100003	Building	01/14/2010	203 Monroe Avenue	Reroof	\$106.40	\$7,000
	PB100004	Building	01/22/2010	500 Bayshore Road	New WWTP	\$0.00	\$0
083A3-0100-49	PB100005	Building	02/17/2010	318 Tazewell Avenue	20x16 deck on rear of structure	\$106.40	\$8,000
	PB100006	Building	02/22/2010	529 Walbridge Bend	new s/f res	\$2,712.72	\$275,000
083A3-0202-08	PB100007	Building	02/22/2010	2 Randolph Avenue	res alt per app	\$184.80	\$18,000
	PB100008	Building	03/02/2010	408 Bay Avenue	tear off/reroof	\$90.72	\$5,600
083A3-0201-07	PB100009	Building	03/05/2010	102 Randolph Avenue	new sunroom and porch off rear	\$337.51	\$30,000
	PB100010	Building	03/17/2010	116 Tazewell Avenue	res alt per app	\$283.16	\$30,000
	PB100011	Building	03/10/2010	543 Mason Avenue	roof repair from storm damage	\$105.84	\$6,950
	PB100012	Building	03/10/2010	6 Lake View Court	new permit to obtain C.O. inspection	\$56.00	\$2,500
	PB100013	Building	03/22/2010	501 Randolph Avenue	adding exterior stairway to provide 2nd me	\$341.04	\$22,950
083A3-0100-48	PB100014	Building	03/12/2010	114 Peach Street	Repair floor joists, frame basement stairs, i	\$56.00	\$1,500
	PB100015	Building	05/21/2010	207 Tazewell Avenue	substantial renovation	\$1,124.00	\$150,000
	PB100016	Building	03/18/2010	109 Randolph Avenue	re-roof	\$86.01	\$5,179
	PB100017	Building	03/19/2010	209 Mason Avenue C	Change of Use from B to M Demoling so	\$84.00	\$2,500
	PB100018	Building	03/22/2010	500 Bayshore Road	New WWTP Operations Building	\$0.00	\$0
	PB100020	Building	03/23/2010	637 Madison Avenue	Deck off back of house. Joists on lower le	\$57.12	\$2,600
	PB100021	Building	03/24/2010	501 Jefferson Avenue	tear off/reroof	\$61.33	\$2,975
	PB100022	Building	03/29/2010	530 Tazewell Avenue	res. demo/alteration	\$319.20	\$42,000
083A3-0100-61	PB100023	Building	04/05/2010	321 Mason Avenue	Change of Use from M to B	\$168.00	\$10,000
083A4-0200-00	PB100024	Building	04/07/2010	711 Tazewell Avenue,	Alteration change to R-5 Bed & Breakfast	\$700.00	\$110,000
	PB100025	Building	04/08/2010	100 Saratoga Place	Installing new windows in porch	\$56.00	\$2,500
	PB100026	Building	04/09/2010	157 Sunset Blvd.	adding windows to 3rd floor porch	\$110.88	\$7,400

07/01/10

# Permit/Construction Fee Report

Map Number	Permit #	Type	Date	Address	Work description	Permit Fee	Value
083A3-0100-51	PB100027	Building	04/13/2010	240 Tazewell Avenue	res alt per app	\$196.00	\$20,000
	PB100028	Building	04/12/2010	400 Washington Aven	Tera off one side and roof over one side.	\$62.72	\$3,100
083A3-0100-48	PB100029	Building	04/19/2010	408 Tazewell Avenue	siding repair	\$56.00	\$800
	PB100030	Building	04/29/2010	17 East Bay Drive	Remove and replace siding	\$173.60	\$16,000
083A3-0205-00	PB100031	Building	04/29/2010	5 Monroe Avenue	tear off/terroof	\$109.76	\$7,300
	PB100032	Building	05/03/2010	101 Tazewell Avenue	tear off/terroof	\$111.44	\$7,450
	PB100033	Building	05/12/2010	309 Mason Avenue	alteration to face lift front of building	\$99.68	\$3,900
	PB100034	Building	05/07/2010	1 Bay Avenue	handicapped ramp on beach front	\$0.00	\$0
083A3-0100-49	PB100035	Building	05/12/2010	127 Peach Street	remove porch floor and framing and re-inst	\$59.36	\$2,800
	PB100036	Building	05/12/2010	223 Tazewell Avenue	remove porch floor and framing and replac	\$75.04	\$4,200
	PB100037	Building	05/13/2010	223 Monroe Avenue	tear off reeroof	\$78.40	\$4,500
	PB100038	Building	05/21/2010	2 Bay Avenue	Tent for Wedding	\$56.00	\$500
	PB100039	Building	05/28/2010	230 Tazewell Avenue	tear off porch & replace as existing	\$150.64	\$11,900
	PB100040	Building	05/28/2010	610 Pine Street	alteration per app	\$207.20	\$22,000
	PB100041	Building	06/01/2010	538 Tazewell Avenue	tear off/terroof	\$112.00	\$7,500
	PB100042	Building	06/01/2010	420 Tazewell Avenue	Tear off sheathing replace sheathing and r	\$56.00	\$1,785
	PB100043	Building	06/07/2010	212 Bay Avenue	alteration to fix water damage□new floor	\$352.00	\$30,000
083A1-0700-00	PB100044	Building	06/07/2010	605 Peach Street	adding a rear deck	\$56.00	\$600
	PB100045	Building	06/11/2010	555 Mason Avenue A	Install Sign	\$50.00	\$200
	PB100046	Building	06/14/2010	15 East Bay Drive	Res Alteration to Complete House Started i	\$700.00	\$110,000
	PB100047	Building	06/17/2010	527 Walbridge Bend	new sif res.	\$22,673.36	\$350,000
	PB100048	Building	06/15/2010	110 Tazewell Avenue	tear off/terroof	\$109.20	\$7,250
	PB100049	Building	06/15/2010	300 Fulcher Street	swimming pool & deck	\$56.00	\$2,500
	PB100050	Building	06/28/2010	106 Randolph Avenue	Adding new screen porch	\$196.00	\$20,000
083A1-0100-19	PB100051	Building	06/24/2010	529 Madison Avenue	porch repair	\$56.00	\$2,500
	PD090002	Demolition	07/07/2009	304 Jefferson Avenue	demolishing structure that has been under	\$50.00	\$2,600
	PD090003	Demolition	07/20/2009	606 Jefferson Avenue	Residential Demolition	\$50.00	\$4,000
	PD090004	Demolition	10/13/2009	505 Randolph Avenue	demolish structure	\$50.00	\$2,400
	PE090026	Electrical	07/09/2009	10 Peach Street A	Install fire suppression on range hood	\$84.15	\$1,500
	PE090027	Electrical	08/10/2009	3 Kings Court	adding 50 amp subfed panel for 3rd floor a	\$56.00	\$500
083A1-0100-03	PE090028	Electrical	08/10/2009	539 Jefferson Avenue	upgrading to 400 amp service	\$56.00	\$1,380

07/01/10

# Permit/Construction Fee Report

Map Number	Permit #	Type	Date	Address	Work description	Permit Fee	Value
	PE090029	Electrical	08/12/2009	109 Plum Street	new 200 amp service for christian school	\$240.80	\$14,000
	PE090030	Electrical	08/21/2009	637 Madison Avenue	upgrading to 200 amp service	\$56.00	\$600
	PE090031	Electrical	09/01/2009	622 Monroe Avenue	new 200 amp service	\$106.40	\$7,000
	PE090032	Electrical	09/01/2009	237 Randolph Avenue	new 200 amp service for cut-in	\$56.00	\$1,500
	PE090033	Electrical	09/03/2009	111 Tazewell Avenue	upgrading to 200 amp service	\$56.00	\$1,700
	PE090034	Electrical	09/15/2009	116 Tazewell Avenue	finish electrical in accessory building	\$56.00	\$1,000
083A1-0100-03	PE090035	Electrical	09/15/2009	539 Jefferson Avenue	new 100 amp sub-fed panel for accessor	\$56.00	\$2,300
	PE090036	Electrical	10/29/2009	606 Jefferson Avenue	new 200 amp service	\$78.40	\$4,500
	PE090037	Electrical	10/20/2009	105 Randolph Avenue	Service Change□□Add one circuit for HV	\$56.00	\$1,200
	PE090038	Electrical	10/21/2009	4 Crystal Lake Court	Residential Electric New Home□□320 AMP	\$128.80	\$9,000
	PE090039	Electrical	10/26/2009	500 Bayshore Road	400 amp temp pole for construction trailers	\$0.00	\$0
	PE090040	Electrical	10/28/2009	243 Mason Avenue	hookup 100 amp temporary panel	\$84.00	\$250
	PE090041	Electrical	11/04/2009	544 Randolph Avenue	upgrading to 200 amp service	\$59.36	\$2,800
	PE090042	Electrical	11/23/2009	616 Tazewell Avenue	new electrical for kitchen remodel	\$56.00	\$2,000
	PE090043	Electrical	12/11/2009	4 Crystal Lake Court	new 200 amp service	\$126.56	\$8,800
	PE090044	Electrical	12/22/2009	500 Bayshore Road	Install one (1), 400 Amp Temporary Discon	\$0.00	\$0
083A3-0100-44	PE100001	Electrical	01/05/2010	550 Tazewell Avenue	res alt per app	\$84.00	\$600
	PE100002	Electrical	01/11/2010	7 Carisa Court	100 amp temp pole	\$56.00	\$300
	PE100003	Electrical	01/20/2010	130 Sunset Blvd.	60 amp temp pole	\$56.00	\$500
	PE100004	Electrical	02/05/2010	221 Monroe Avenue	new 200 amp service	\$63.84	\$3,200
	PE100005	Electrical	02/19/2010	2 Plum Street	Upgrade Service Equipment	\$0.00	\$4,200
	PE100006	Electrical	02/23/2010	239 Mason Avenue	new electrical for six hotel units and lobby	\$375.20	\$26,000
	PE100007	Electrical	02/24/2010	529 Walbridges Bend	new electrical for s/f res	\$117.60	\$8,000
	PE100008	Electrical	03/05/2010	116 Tazewell Avenue	Relocating Service and Alteration. Removin	\$106.40	\$7,000
	PE100009	Electrical	03/12/2010	500 Bayshore Road	new electrical for wwtp	\$0.00	\$0
	PE100010	Electrical	03/23/2010	130 Sunset Blvd.	new 400 amp service	\$168.00	\$15,000
083A3-0100-61	PE100011	Electrical	04/05/2010	321 Mason Avenue	New Plumbing for four new sinks and sho	\$84.00	\$2,500
	PE100012	Electrical	04/15/2010	7 Carisa Court	new electrical for s/f res.	\$140.00	\$10,000
	PE100013	Electrical	04/19/2010	23 Park Row	lighting for entire park	\$0.00	\$0
083A4-0200-00	PE100014	Electrical	04/21/2010	711 Tazewell Avenue,	new 600 amp service	\$196.00	\$20,000
083A3-0201-07	PE100015	Electrical	04/29/2010	102 Randolph Avenue	electrical for new addition	\$56.00	\$1,700

07/01/10

# Permit/Construction Fee Report

Map Number	Permit #	Type	Date	Address	Work description	Permit Fee	Value
	PE100016	Electrical	05/03/2010	112 Churchill Downs	new electrical for hot tub	\$56.00	\$240
	PE100017	Electrical	05/06/2010	116 Tazewell Avenue	new 200 amp service	\$117.60	\$8,000
	PE100018	Electrical	05/28/2010	23 Park Row	reset pedestal in south west corner of park	\$0.00	\$200
083A1-0700-00	PE100019	Electrical	06/07/2010	605 Peach Street	electrical for res.	\$56.00	\$400
	PE100020	Electrical	06/08/2010	120 Creekside Lane	Temporary Pole	\$56.00	\$500
	PE100021	Electrical	06/10/2010	212 Bay Avenue	updating 3 circuits	\$56.00	\$1,300
	PE100022	Electrical	06/15/2010	300 Fulcher Street	electrical for pool	\$56.00	\$250
	PE100023	Electrical	06/16/2010	209 Madison Avenue	Service Upgrade to 200 Amp	\$56.00	\$1,500
	PE100024	Electrical	06/22/2010	15 East Bay Drive	new electrical for res.	\$146.72	\$11,200
	PEL 10000	Elevator	01/05/2010	317 Troon Court	Residential Passenger Elevator	\$211.68	\$22,800
	PEL 10000	Elevator	03/26/2010	4 Crystal Lake Court	Chair lift in garage	\$96.54	\$6,120
	PEL 10000	Elevator	03/26/2010	6 Lake View Court	Residential Dumbwaiter	\$119.50	\$8,170
	PEL 10000	Elevator	05/24/2010	130 Sunset Blvd.	Install 1 Residential Elevator	\$179.20	\$17,000
	PES09000	Erosion & Sed	11/17/2009	500 Bayshore Road	Land Disturbance 5 acres	\$0.00	\$0
	PES10000	Erosion & Sed	01/27/2010	23 Park Row	7 ACRES	\$0.00	\$0
	PES10000	Erosion & Sed	06/10/2010	1134 Bayshore Lane	.39 acres	\$860.00	\$3,000
	PF090003	Fire Suppresio	08/12/2009	109 Plum Street	Unimode Manual Fire Alarm System Comply	\$158.95	\$6,692
	PF090004	Fire Suppresio	09/15/2009	425 Mason Avenue	suppression system for range hood	\$84.00	\$1,000
	PF090005	Fire Suppresio	09/22/2009	1134 Bayshore Lane	FIREWORKS DISPLAY 09/26/2009	\$151.20	\$6,000
083A3-0100-59	PF100001	Fire Suppresio	03/05/2010	239 Mason Avenue	13R System	\$429.20	\$8,500
	PF100002	Fire Suppresio	04/01/2010	239 Mason Avenue	Automatic & Manual Fire Alarm for Hotel	\$87.36	\$2,800
	PG090007	Gas	08/31/2009	525 Jefferson Avenue	gas piping for fireplace and outside grill	\$56.85	\$2,575
	PG090008	Gas	09/11/2009	203 Mason Avenue	new gas piping for restaurant	\$84.00	\$300
	PG090009	Gas	12/02/2009	637 Madison Avenue	new gas line for range	\$56.00	\$350
	PG100001	Gas	01/04/2010	622 Monroe Avenue	new gas piping for residence	\$56.00	\$2,300
	PG100002	Gas	03/01/2010	130 Sunset Blvd.	gas piping for new s/f res.	\$56.00	\$1,200
	PG100003	Gas	03/25/2010	239 Mason Avenue	Gas Piping for two water heaters	\$84.00	\$1,000
	PG100004	Gas	04/09/2010	7 Carisa Court	Rough-in gas piping for gas logs, water he	\$56.00	\$500
	PG100005	Gas	05/06/2010	529 Walbridge Bend	Gas piping for res.	\$56.00	\$200
	PG100006	Gas	05/13/2010	116 Tazewell Avenue	Install Gas piping with 125 AST Range, Wa	\$56.00	\$700
	PG100007	Gas	06/14/2010	15 East Bay Drive	Gas piping for res.	\$56.00	\$350

07/01/10

# Permit/Construction Fee Report

Map Number	Permit #	Type	Date	Address	Work description	Permit Fee	Value
	PM090006	Mechanical	07/13/2009	111 Tazewell Avenue		\$112.00	\$7,500
	PM090007	Mechanical	08/20/2009	109 Plum Street	2 new split systems for school	\$184.80	\$9,000
083A3-0100-59	PM090008	Mechanical	09/15/2009	425 Mason Avenue	type 1 range hood	\$117.60	\$3,000
	PM090009	Mechanical	10/13/2009	606 Jefferson Avenue	new mechanical per application	\$95.20	\$6,000
	PM090010	Mechanical	11/03/2009	618 Monroe Avenue	1 Air to Air Heat pump replacement	\$96.01	\$6,073
	PM090011	Mechanical	11/04/2009	544 Randolph Avenue	2 new air-to-air heat pumps	\$112.00	\$7,500
	PM090012	Mechanical	11/23/2009	637 Madison Avenue	1 air to air heat pump	\$142.43	\$10,434
	PM090013	Mechanical	11/30/2009	4 Crystal Lake Court	mechanical for new s/f res	\$128.80	\$9,000
	PM090014	Mechanical	12/21/2009	215 Randolph Avenue	Install New Duct Work	\$57.04	\$2,593
	PM090015	Mechanical	12/28/2009	622 Monroe Avenue	2 air-to-air heat pumps	\$156.80	\$13,000
	PM100001	Mechanical	01/14/2010	116 Tazewell Avenue	2 air to air heat pumps	\$187.60	\$18,500
	PM100002	Mechanical	02/17/2010	239 Mason Avenue	New Mechanical for 6 Hotel Units and Lob	\$240.80	\$14,000
	PM100003	Mechanical	03/11/2010	130 Sunset Blvd.	new mech for s/f res.	\$232.39	\$26,498
	PM100004	Mechanical	03/30/2010	529 Walbridge Bend	new mech for res.	\$140.00	\$10,000
	PM100005	Mechanical	05/05/2010	7 Carisa Court	new mech for res.	\$151.20	\$12,000
083A3-0201-07	PM100006	Mechanical	05/05/2010	102 Randolph Avenue	1 split unit for addition	\$68.32	\$3,600
	PM100007	Mechanical	05/07/2010	201 Monroe Avenue	2 Heat Pumps	\$100.24	\$6,450
	PM100008	Mechanical	06/07/2010	610 Pine Street	New mechanical	\$137.76	\$9,800
083A4-0200-00	PM100009	Mechanical	06/14/2010	711 Tazewell Avenue,	new mech for res.	\$252.00	\$30,000
	PM100010	Mechanical	06/16/2010	15 East Bay Drive	new mech for res.	\$162.40	\$14,000
083A3-0205-00	PM100011	Mechanical	06/28/2010	105 Tazewell Avenue	New 2 ton heat pump	\$91.84	\$5,700
083A3-0100-28	PP090009	Plumbing	07/01/2009	11 Park Row	new on-site sewer line	\$56.00	\$1,000
	PP090010	Plumbing	08/18/2009	637 Madison Avenue	new plumbing for upstairs bathroom and n	\$70.56	\$3,800
	PP090011	Plumbing	10/15/2009	606 Jefferson Avenue	new plumbing for res	\$84.00	\$5,000
	PP090012	Plumbing	11/04/2009	500 Bayshore Road	plumbing for construction trailers and ingro	\$0.00	\$0
	PP090013	Plumbing	11/30/2009	4 Crystal Lake Court	plumbing for new s/f res	\$182.69	\$17,625
	PP090014	Plumbing	12/28/2009	622 Monroe Avenue	new plumbing to include addition	\$89.60	\$5,500
	PP100001	Plumbing	02/16/2010	239 Mason Avenue	plumbing for entire building	\$190.40	\$12,000
	PP100002	Plumbing	03/01/2010	130 Sunset Blvd.	new plumbing for s/f res	\$163.52	\$14,200
	PP100003	Plumbing	03/15/2010	500 Bayshore Road	new plumbing for new w.w.t.p.	\$0.00	\$0
	PP100004	Plumbing	03/22/2010	500 Bayshore Road	New Plumbing for Operations Building	\$0.00	\$0

07/01/10

# Permit/Construction Fee Report

Map Number	Permit #	Type	Date	Address	Work description	Permit Fee	Value
	PP100005	Plumbing	03/24/2010	116 Tazewell Avenue	Repair Water Lines, Partial Cast Iron, and r	\$151.20	\$12,000
	PP100006	Plumbing	03/30/2010	529 Walbridge Bend	plumbing for new house	\$170.30	\$15,410
	PP100007	Plumbing	04/06/2010	7 Carisa Court	New Plumbing for s/f res	\$164.64	\$14,300
083A4-0200-00	PP100008	Plumbing	05/19/2010	711 Tazewell Avenue,	Plumbing to upgrade Residence	\$168.00	\$15,000
083A1-0700-00	PP100009	Plumbing	06/07/2010	605 Peach Street	plumbing for res	\$56.00	\$700
	PP100010	Plumbing	06/09/2010	212 Bay Avenue	repping for 5 radiators	\$133.84	\$9,450
	PP100011	Plumbing	06/14/2010	15 East Bay Drive	new plumbing for res.	\$151.20	\$12,000
	PP100012	Plumbing	06/29/2010	207 Tazewell Avenue	Renovation with baths and electric water	\$117.60	\$8,000
	PT100001	UST/ AST	01/04/2010	622 Monroe Avenue	new 330 gallon ust	\$56.51	\$1,500
	PT100002	UST/ AST	03/02/2010	130 Sunset Blvd.	Underground Storage, propane, 500 Gall	\$56.00	\$350
	PT100003	UST/ AST	04/19/2010	239 Mason Avenue	Install UST 250 Gallon	\$84.00	\$250
	PT100004	UST/ AST	05/14/2010	7 Carisa Court	120 Gallon	\$56.00	\$500
	PU100001	PU Shallow W	03/31/2010	4 Crystal Lake Court	Shallow Well	\$100.00	\$800
	PU100002	PU Shallow W	05/21/2010	130 Sunset Blvd.	Shallow Well	\$100.00	\$650

**Total Permits: 200**

**\$63,874.98**

**\$3,967,699**

PerDateIssued Range from 07/01/2009 to  
06/30/2010

# Revenue Totals by Category/Items

From: 07/01/2009 to: 06/30/2010

## demolition

Res Demo	3	\$150.00
<b>demolition totals</b>	<b>3</b>	<b>\$150.00</b>

## Inspection

Sewer Tap Insp	5	\$250.00
Water Tap Insp	5	\$250.00
<b>Inspection totals</b>	<b>10</b>	<b>\$500.00</b>

## Miscellaneous

After fact permit Admin fee	1	\$100.00
E/S Agreement in lieu of plan	6	\$900.00
Fire Dept Fee	178	\$3,282.54
Res. Sewer Connection	1	\$875.00
Res. Sewer Facility	1	\$13,150.00
Res. Water Connection	1	\$875.00
Res. Water Facility	1	\$5,100.00
<b>Miscellaneous totals</b>	<b>189</b>	<b>\$24,282.54</b>

## Permit Fee

	1	\$500.00
<b>Permit Fee totals</b>	<b>1</b>	<b>\$500.00</b>

## Plan Review

Sewer Plan Rev	5	\$150.00
Water Plan Rev	5	\$150.00
<b>Plan Review totals</b>	<b>10</b>	<b>\$300.00</b>

## Rental Fee

RENTAL INSPECTION	20	\$1,000.00
<b>Rental Fee totals</b>	<b>20</b>	<b>\$1,000.00</b>

## Residential

Valuation Res \$10K >	3	\$456.00
Valuation Res \$2.5 >	1	\$50.93
Valuation Res \$2.5K - \$10K	11	\$983.75

<b>Residential totals</b>	<b>15</b>	<b>\$1,490.68</b>
<b>Review</b>		
Landscape Plan Review	6	\$600.00
Residential Building Plan Revi	9	\$1,800.00
Residential Site Plan Review	6	\$900.00
<b>Review totals</b>	<b>21</b>	<b>\$3,300.00</b>
<b>Shallow Well</b>		
Well Inspection	2	\$200.00
<b>Shallow Well totals</b>	<b>2</b>	<b>\$200.00</b>
<b>State Tax</b>		
STATE TAX.	178	\$656.67
<b>State Tax totals</b>	<b>178</b>	<b>\$656.67</b>
<b>Valuation</b>		
Com \$0 - \$2.5K	11	\$800.00
com \$2.5 -10k	5	\$559.00
Com Bldg Plan Review Fee	3	\$750.00
comm > \$10k	8	\$3,609.50
E & S Plan Review Fee	1	\$360.00
Garage- 5B	6	\$1,143.78
Residential decks & porches- 5B	8	\$1,123.92
Residential, one and two family- 5B	9	\$9,597.47
Valuation Com 2.5K >	5	\$684.92
Valuation Com \$0-\$2.5K	4	\$300.00
Valuation Com \$2.5 >	2	\$270.00
Valuation Res \$0 - \$2.5K	2	\$100.00
Valuation Res \$0-\$2.5K	44	\$2,200.50
Valuation Res \$2.5K - 10K	38	\$3,221.17
Valuation Res \$2.5K-\$10K	1	\$119.50
Valuation Res > \$10K	36	\$7,655.33
<b>Valuation totals</b>	<b>183</b>	<b>\$32,495.09</b>
<b>Grand Totals</b>	<b>632</b>	<b>\$64,874.98</b>

# Planning Commission Report for Town Council

**From:** Tom Bonadeo  
**To:** Town Council  
**Date:** July 8, 2010  
**Subject:** Report for Planning Department

---

## Planning Commission Meeting—July 6

1. The Planning Commissions meeting was held on Tuesday of this week. The following items were to be considered.
  - a. Continued Boundary Adjustment discussions on zoning and continued coordination to have a joint meeting with the Cheriton Planning Commission.
  - b. The Planning Commission received a letter from the Northampton County Planning Commission to participate in a join session to discuss Town Edge as described in the County Comprehensive Plan. The meeting is planned for July 19 or 21<sup>st</sup>.
  - c. The "Connector Road" discussions continued and a public input session is planned. Input from other stakeholders will also take place at the August meeting.
  - d. Technology Zone discussions continued along with Tourism Zone discussions. The Commission is working on a list of businesses and will solicit public input at the August meeting.
  - e. The Commission reviewed two new requirements now in the Code of Virginia. The first requires localities to allow Temporary Family Health Care Structures and the second requires zoning ordinances to treat Group Homes of 8 or less with a minimum of one resident advisor as a "single family." No additional restrictions can be placed on these homes over the restrictions of a single family. These items will be discussed by the Commission, reviewed by counsel and covered in a public hearing prior to coming to Council.
2. The planner has been working on the following projects
  - a. Central park – Community Trail project
    - i. Electrical Service – New three phase has been bored under the street and is awaiting final connection at the Plum Street Pump House. This will power the long runs of lights in the park.
    - ii. Wells – The two shallow wells (East and West) have been drilled and the drives are expected to be installed this week. The irrigation contractor plans to make his connection this week also.
    - iii. ADA ramps have been installed along Plum Street for entrance to the park. We have an elevation issue with VDOT due to excess over paving without grinding.
  - b. Coordination work with Bob Panek and WWTP and Bayshore Concrete
  - c. Beach project – moved the dune, awaiting the arrival of snow fence and addition of coarse sand at the north end of the beach.
  - d. Continued participation in the Bay TMDL and King's Creek TMDL. The total maximum daily load (TMDL) is the maximum amount of nutrients that a body of water can accept.
  - e. Worked with MSA Surveyors to locate the new wells in the NW corner of Tract B (Keck property). The test wells looked promising at this location.

**Historic District Review Board Meeting – June 15 (no meeting)**

 <p>TOWN OF CAPE CHARLES</p>	<b>AGENDA TITLE:</b> Cape Charles Police Department		<b>AGENDA DATE</b> JULY 8, 2010
	<b>SUBJECT/PROPOSAL/REQUEST:</b> JUNE 2010 Monthly Law Enforcement Statistic		<b>ITEM NUMBER</b>
	<b>ATTACHMENTS:</b> None		<b>FOR COUNCIL:</b> Action ( ) Information ( X )
	<b>STAFF CONTACT (s):</b> Charles Brown Chief of Police	<b>REVIEWED BY:</b> 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: 50

Calls for Service Outside of Cape Charles: 15

10-13 Calls

(A) By Dispatch: 50

(B) By Phone via Officer/Trooper:

(C) In Person 15

Felony Arrests: 1

Misdemeanor Arrests: 0

DUI Arrests: 0

Traffic Summons Issued: 54

Traffic Warnings Issued: 10

Parking Tickets Issued: 04

Assisted Northampton County Sheriff's Office: 03

Assisted Virginia State Police: 03

Assisted Other Local Police: 01

Assisted Other Federal Agencies

Assisted Fire & Rescue: 07

Assisted VDOT: 00

Hours of Training Received & What Type? NONE



TOWN OF  
CAPE CHARLES

**AGENDA TITLE:** Financial Assistance for Regional Wastewater System.

**AGENDA DATE:**  
July 8, 2010

**SUBJECT/PROPOSAL/REQUEST:** Adopt a resolution to apply for a regional wastewater system grant/loan.

**ITEM NUMBER:**  
6.A.

**ATTACHMENTS:** Subject Resolution

**FOR COUNCIL:**  
Action   
Information

**STAFF CONTACT (s):**  
Bob Panek

**REVIEWED BY:**  
Heather Arcos, Town Manager

### **BACKGROUND:**

At the January 14, 2010 meeting, Council adopted a resolution authorizing the County Administrator to apply for and administer a planning grant for a potential regional wastewater system. Working groups with representatives from the Towns and County, assisted by a consulting team, have made much progress in conceptualizing the regional system and reforming the existing Public Service Authority (PSA) to eventually assume management responsibility. The concept is to create a Northern Node to serve Exmore, Nassawadox and the surrounding areas of the county, and a Southern Node to serve Cape Charles, Cheriton and the surrounding areas of the county. The consulting team is working under the planning grant to define the service areas, perform an economic analysis, and produce a Preliminary Engineering Report (PER). On June 28, 2010, the four participating Towns and the County adopted ordinances approving the joinder of the Towns to the PSA.

### **DISCUSSION:**

The planning work for the Southern Node is progressing more quickly because it is a more compact geographic area and Cape Charles is already building a new wastewater treatment plant with sufficient capacity. The first opportunity for financial assistance (grant/loan) to design and build the system is the Virginia Clean Water Revolving Loan Fund. Applications are due to the Department of Environmental Quality (DEQ) by July 16, 2010. The PER is almost complete and the Project Management Team is preparing the application. The reformed PSA is not yet functional, as a filing still must be made to the State Corporation Commission for a revised charter, followed by an organizational meeting of the PSA board. This will be completed after the application is due. Therefore, Northampton County must make the application to DEQ for financial assistance, similar to the procedure utilized for the planning grant. Council must adopt a resolution authorizing this.

### **RECOMMENDATION:**

Staff asks Council for a roll call vote on the proposed resolution.

**RESOLUTION 20100708**

**REQUESTING APPLICATION FOR FINANCIAL ASSISTANCE FOR  
A REGIONAL WASTEWATER SYSTEM**

**WHEREAS**, the Town of Cape Charles is currently constructing a new wastewater treatment plant, and;

**WHEREAS**, the Town of Cape Charles is working cooperatively with the Town of Cheriton and the County of Northampton to explore implementation of a regional wastewater system to serve both towns and the surrounding area of Northampton County; and

**WHEREAS**, the Towns of Cheriton and Cape Charles and the County have previously agreed to cooperatively accept a planning grant from the Virginia Department of Housing and Community Development to define the project area, seek public input and conduct a Preliminary Engineering Study and Report to evaluate alternatives and costs; and

**WHEREAS**, the Town of Cape Charles actively participated in the Public Service Authority Reformation Exploratory Committee with the County and the Towns of Cheriton, Exmore and Nassawadox; and

**WHEREAS**, the Exploratory Committee recommended reforming the Public Service Authority Board to include representation from each of the Towns and the County; and

**WHEREAS**, the four Towns and the County adopted ordinances on June 28, 2010 approving joinder of the Towns to the Public Service Authority and revision of the Articles of Incorporation; and

**WHEREAS**, the Cape Charles Town Council has appointed its representative to serve on the Public Service Authority Board when reformation is completed; and

**WHEREAS**, the funding application deadline for the first of several potential grant and/or loan opportunities is July 16, 2010; and

**WHEREAS**, the Preliminary Engineering Study and Report is in progress for a project to serve the Towns of Cheriton and Cape Charles and the surrounding County area which will determine whether environmental, economic and rate affordability benefits can accrue; and

**WHEREAS**, it is anticipated that the second funding application will be submitted to the US Department of Agriculture, Rural Development for the a project serving Nassawadox, including the hospital, and Exmore as soon as practical; now

**THEREFORE BE IT RESOLVED** that the Town of Cape Charles authorizes the Project Management Team to prepare an application to the Virginia Department of Environmental Quality for financial assistance for design and construction of the regional wastewater system by the deadline of July 16, 2010, based on the most cost effective alternative as identified in the Preliminary Engineering Study and Report; and

**BE IT FURTHER RESOLVED** that, as the reformation of the Public Service Authority is not yet complete, the Town of Cape Charles authorizes the County of Northampton to apply to the Virginia Department of Environmental Quality for project financial assistance; and

**BE IT FURTHER RESOLVED** that the County Administrator is authorized to sign all required financial assistance application documents and other appropriate documents related to the project.

\*\*\*\*\*

Adopted by the Town Council of the Town of Cape Charles, July 8, 2010

By: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk



TOWN OF  
CAPE CHARLES

**AGENDA TITLE:** Wastewater Treatment Plant (WWTP) Status

**AGENDA DATE:**  
July 8, 2010

**SUBJECT/PROPOSAL/REQUEST:** Update on construction.

**ITEM NUMBER:**  
6.B.

**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. The total project is estimated at \$19.4M, including design, engineering, construction management and inspection. This also includes the estimate for the water reuse modification. 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. \$5.4M - VCWRLF zero-interest loan. We plan to close on this loan in July. This will replace our interim financing through the VML/VACo Commonwealth Loan Program.

**DISCUSSION:**

Construction status:

1. Concrete work for UV/Post Aeration Facility, Bio-Reactor/Membrane Tanks is well underway.
2. Underground utilities (duct banks, plumbing, etc.) for Process Building installed.
3. Foundation work for Headworks (screening/grit removal) underway.
4. Storm drainage system being installed.
5. Mobilization for outfall extension along Bayshore Rd.

A few significant changes have been made or are underway:

1. The membrane specification was upgraded to the latest model at no cost. This will increase the hydraulic capacity to about 330,000 GPD. Note that the processing capacity is still limited to a maximum of about 312,000 GPD by the nutrient removal capability of the two bio-reactors.
2. The UV/Post Aeration Facility design was revised to accommodate the water reuse system. We have requested a proposal to incorporate the cost of this, as well as the reuse pipeline to the property line, into the contract. This work is included in the total project estimate.
3. Additional excavation and structural fill were required due to the discovery of more extensive unsuitable soils at the locations of heavy structures. The negotiated cost of \$164,150 will be accommodated within the \$712,200 contingency amount in the total project estimate.
4. We have requested a proposal to delete about 580 feet of force main extension from the contract and add about 100 feet to connect the Headworks to the re-routed Mason Ave. force main to be installed as part of the Mason Ave. Pump Station project. This will result in a cost reduction.

About \$1.9M has been billed to date, all of which has been reimbursed from WQIF and VCWRLF.

**RECOMMENDATION:**

Provided for information only.

 <p>TOWN OF CAPE CHARLES</p>	<b>AGENDA TITLE:</b> Vice-Mayor Election		<b>AGENDA DATE:</b> July 8, 2010
	<b>SUBJECT/PROPOSAL/REQUEST:</b> Election of Vice-Mayor		<b>ITEM NUMBER:</b> 7.A.
	<b>ATTACHMENTS:</b> None		<b>FOR COUNCIL:</b> Action <input checked="" type="checkbox"/> (X) Information <input type="checkbox"/> ( )
	<b>STAFF CONTACT (s):</b> Heather Arcos, Town Manager	<b>REVIEWED BY:</b> Heather Arcos, Town Manager	

**BACKGROUND:**

Section 3.6 of the Town Charter states that:

“The Town Council shall elect from its members, by a majority of the members present, a vice mayor. During the absence or inability of the mayor to act, the vice mayor shall possess the powers and discharge the duties of the mayor. While serving in the place of the mayor, the vice mayor may vote as a member of the town council.”

**DISCUSSION:**

Each election year, a new vice mayor has been elected at the first regular meeting with the new Council.

In July 2008, Councilman Bannon was elected vice mayor and has served for two years. In August 2006, Councilman Evans was elected as vice mayor and served a two-year term.

**RECOMMENDATION:**

Staff recommends discussion and election of a vice mayor to serve from July 2010 through June 2012.

 <b>TOWN OF CAPE CHARLES</b>	<b>AGENDA TITLE:</b> Boundary Adjustment Committee Representative		<b>AGENDA DATE:</b> July 8, 2010
	<b>SUBJECT/PROPOSAL/REQUEST:</b> Representative to Boundary Adjustment Committee		<b>ITEM NUMBER:</b> 7.B.
	<b>ATTACHMENTS:</b> None		<b>FOR COUNCIL:</b> Action ( X ) Information ( )
	<b>STAFF CONTACT (s):</b> Heather Arcos, Town Manager	<b>REVIEWED BY:</b> Heather Arcos, Town Manager	

**BACKGROUND:**

On January 11, 2010, a joint meeting was held with the Cheriton Town Council to discuss the issue of boundary adjustments. At that meeting, the Councils agreed to create a sub-committee to work on the details of the boundary adjustment issue before approaching the County. The sub-committee members were Cape Charles Councilmen Burdiss and Veber, Tom Bonadeo, Cheriton Vice-Mayor Spencer, Councilman LeMond and Beverly Harper.

**DISCUSSION:**

In order to continue the discussions of the Boundary Adjustment Committee, another Council member must be named to fill out-going Councilman Burdiss' position on this committee.

**RECOMMENDATION:**

Staff recommends discussion and appointment of a representative from Council to replace out-going Councilman Burdiss on the Boundary Adjustment Committee.

 <p>TOWN OF CAPE CHARLES</p>	<b>AGENDA TITLE:</b> Town Council Representative to Planning Commission		<b>AGENDA DATE:</b> July 8, 2010
	<b>SUBJECT/PROPOSAL/REQUEST:</b> Town Council Representative to Planning Commission		<b>ITEM NUMBER:</b> 7.C.
	<b>ATTACHMENTS:</b> None		<b>FOR COUNCIL:</b> Action <input checked="" type="checkbox"/> (X) Information <input type="checkbox"/> ( )
	<b>STAFF CONTACT (s):</b> Heather Arcos, Town Manager	<b>REVIEWED BY:</b> Heather Arcos, Town Manager	

**BACKGROUND:**

Article Two of the Town of Cape Charles Planning Commission By-Laws states the following:

“This Planning Commission shall consist of seven (7) members. One (1) member shall be a representative of the Town Council. The remaining six (6) members shall be referred to as appointed members.”

In September 2009, Councilman Bruce Evans submitted his resignation as the Town Council representative to the Planning Commission effective upon his replacement. This position was discussed at the October 8, 2009 Town Council Regular Meeting and no volunteers from the Council offered to serve on the Planning Commission at that time. Mayor Sullivan recommended that since Councilman Evans was willing to continue on the Planning Commission until a replacement was named, the Council should wait until after the election to fill this position.

**DISCUSSION:**

On May 4, 2010, the Town held its Town Council elections and the new Council members' terms began July 1, 2010. Councilwoman Joan Natali was elected to the Town Council in May and has also been a member of the Planning Commission for a number of years and is currently serving as chairperson through October 2010. Since Councilwoman Natali currently serves on the Planning Commission, the Council may want to consider naming her as the Council representative to the Planning Commission.

**RECOMMENDATION:**

Staff recommends discussion and appointment of a representative from Council to replace Councilman Evans on the Planning Commission.

 <p>TOWN OF CAPE CHARLES</p>	<b>AGENDA TITLE:</b> Appointments to Planning Commission and Library Board		<b>AGENDA DATE:</b> July 8, 2010
	<b>SUBJECT/PROPOSAL/REQUEST:</b> Appointments to Planning Commission and Library Board		<b>ITEM NUMBER:</b> 7.D.
	<b>ATTACHMENTS:</b> None		<b>FOR COUNCIL:</b> Action ( ) Information (X)
	<b>STAFF CONTACT (s):</b> Heather Arcos, Town Manager	<b>REVIEWED BY:</b> Heather Arcos, Town Manager	

**BACKGROUND:**

From time to time, as vacancies occur, the Cape Charles Town Council interviews prospective candidates to fill these vacancies

**DISCUSSION:**

The Town Council held interviews on Thursday, June 24, 2010, to fill vacancies on the Planning Commission and Library Board. The following citizens were appointed:

Planning Commission:

Michael Strub was appointed to complete Eileen Cobb's term which expires October 31, 2010. Mr. Strub will be re-appointed to a four-year term at that time.

Library Board:

Valerie Travis was appointed to complete Kathy Bonadeo's term which expires August 8, 2011. Linda Schulz was appointed to complete Eileen Cobb's term which expires August 8, 2011.

**RECOMMENDATION:**

For informational purposes only.



TOWN OF  
CAPE CHARLES

**AGENDA TITLE:** Cape Harbor CUP - One year extension.

**AGENDA DATE:**  
June 10, 2010

**SUBJECT/PROPOSAL/REQUEST:** Landmark Holdings CUP process.

**ITEM NUMBER:**  
7E

**ATTACHMENTS:**  
Staff work from November 18, 2009

**FOR COUNCIL:**  
Action ( x )  
Information ( )

**STAFF CONTACT (s):**  
Tom Bonadeo - Heather

**REVIEWED BY:**  
Heather Arcos, Town Manager

### **BACKGROUND:**

Section 4.3 of the Zoning Ordinance defines the Conditional Use Permit process. Most development of any size required additional permits that can take longer than one year to obtain. This modification removes the "other permit" process from the one year time line, requires the applicant to report progress and requires more defined "substantial" investment during the one year timeline.

The Cape Harbor Project started before this zoning ordinance modification. The Governor of Virginia and General Assembly, in response to the economic downturn in the Country, modified the length of time that certain CUPs would be valid (HB 2077.) This bill extended the CUP through July 2014 if it was in force as of January 1, 2009. Please see the attached staff work from the November 18<sup>th</sup> Council meeting for the date history.

### **DISCUSSION:**

Using the date of July 9, 2009 as the completion date for the CUP Resolution affirming the Conditional Uses with all conditions, the CUP would expire this July 9, 2010.

Landmark Holdings has a major permit to be obtained before the project could apply for building permits. The Town Council must issue a Harbor Development Certificate based on an application and review by the Harbor Area Review Board. Landmark made the general application to the Board, the application was scored and the Board gave Landmark the go ahead to move to the Detailed Application Process.

In the attached letter of June 14, 2010, Landmark Holdings is requesting the allowed one year extension to continue that process. Staff has worked with Landmark and its architect/engineers over the last several months in this preparation. The letter outlines what Landmark has completed and is working on.

If this CUP were issued under the newly modified Cape Charles Zoning Ordinance, the one year time limit would not have started at this time. The applicant would have been given a timetable to complete the Harbor Development Certificate process and then the one year clock would start.

The Landmark CUP crosses this timeframe.

**RECOMMENDATION:**

Staff recommends approval of the one year extension of the CUP so that Landmark Holdings can continue the Harbor Development Detailed application process.



TOWN OF  
CAPE CHARLES

**AGENDA TITLE:** Cape Harbor CUP Dates

**AGENDA DATE:**  
November 18, 2009

**SUBJECT/PROPOSAL/REQUEST:** CUP Review and Approval

**ITEM NUMBER:**  
2A

**ATTACHMENTS:**

Landmark Letter, Legislation, Resolution and Legal review

**FOR COUNCIL:**

Action ( x )  
Information ( )

**STAFF CONTACT (s):**

Tom Bonadeo - Heather

**REVIEWED BY:**

Heather Arcos, Town Manager

**BACKGROUND:**

Cape Harbor Conditional Use Permits and Conditions were voted on over a period of time from November 13, 2008 through July, 2009. Conditional use permits run for a period of one year. If not acted upon within one year, the conditional use permit shall become null and void, unless construction or use is substantially underway during such one year period.

The Virginia General Assembly enacted legislation (H2077) 15.2-2209.1 Extension of approvals to address housing crisis. This bill extends the life of a conditional use permit (CUP) until July 1, 2014 under certain criteria.

**DISCUSSION:**

The three CUPs for Cape Harbor and specific conditions for each were approved in November and December of 2008 as stated in the Resolution of July 2009. The Resolution was the culmination of the CUP process and included the approval of general conditions on the project, not related to any of the specific uses. The Resolution was affirmed on July 9, 2009.

These dates straddle the legislation dates. The legislation states "for any valid special exception, special use permit, or conditional use permit outstanding as of January 1, 2009, and related to new residential or commercial development, any deadline in the exception permit, or local zoning ordinance that requires the landowner or developer to commence the project or incur significant expenses related to the improvements for the project within a certain time, shall be extended until July 1, 2014, or longer as agreed to by the locality."

The approval for meeting the zoning ordinance is administrative and done by the zoning administrator. Staff sent a draft letter to legal counsel for review which is attached. The Virginia Code talks about the "housing crisis" and the Cape Harbor Project approval process took place during the transition period from a good housing market to a "crisis". The original application to the Planning Commission came in February 2008, CUP votes in November and December of 2008 and the Resolution in July of 2009.

**RECOMMENDATION:**

The Staff recommendation is to review the attached documents including the legal opinions and to officially extend the CUPs until 2014 according to the Virginia Code.

**Tom Bonadeo**

---

**From:** Heather Arcos [heather.arcos@capecharles.org]  
**Sent:** Wednesday, November 11, 2009 10:36 AM  
**To:** 'Tom Bonadeo'  
**Subject:** FW: [PRIVILEGED]: CUP process

*Heather Arcos*  
*Town Manager*  
Town of Cape Charles  
2 Plum Street  
Cape Charles, VA 23310  
757/331-3259 ext. 12  
757/331-4820 Fax  
heather.arcos@capecharles.org

---

**From:** Chris Ambrosio [mailto:CAmbrosio@vanblk.com]  
**Sent:** Tuesday, November 10, 2009 6:31 PM  
**To:** 'Heather Arcos'  
**Cc:** Brad Embree; Mike Sterling  
**Subject:** [PRIVILEGED]: CUP process

Heather:

Unfortunately, determining when a CUP is deemed approved is a gray area. Arguments can be made on both sides and there does not appear to be clear guidance from the case law or other legal authorities. The 2008 resolutions for Cape Harbor used the word "approved," I believe, which arguably means that 2008 is the date of approval. On the other hand, each of the three 2008 "approvals" deferred a vote on the accompanying conditions until 2009. Since the conditions are a material part of the permit, I think the better argument is that approval did not occur until the final vote in July 2009. But it is not a clear question.

An important consideration, as always, is consistency with prior Town actions. I believe Tom said that there were no other CUPs in a similar situation to Cape Harbor, i.e. "straddling" the January 1, 2009 cutoff. Do you know if that's true? Has the Town otherwise taken a position in other CUP applications that a CUP is deemed granted upon the first vote, even if conditions remain unresolved?

I'll be around tomorrow afternoon to discuss, if you have any questions.

- Chris

Christopher Ambrosio  
VANDEVENTER BLACK LLP  
101 W. Main Street  
500 World Trade Center  
Norfolk, Virginia 23510  
757.446.8628 - phone  
757.446.8670 - fax  
cambrosio@vanblk.com  
www.vanblk.com

11/12/2009

[history](#) | [pdf](#)

## VIRGINIA ACTS OF ASSEMBLY -- CHAPTER

*An Act to amend the Code of Virginia by adding in Article 1 of Chapter 22 of Title 15.2 a section numbered 15.2-2209.1, relating to land use actions; period of validity.*

[H 2077]  
Approved

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 1 of Chapter 22 of Title 15.2 a section numbered 15.2-2209.1 as follows:

§ 15.2-2209.1. *Extension of approvals to address housing crisis.*

*A. Notwithstanding the time limits for validity set out in § 15.2-2260 or 15.2-2261, or the provisions of subsection F of § 15.2-2260, any subdivision plat valid under § 15.2-2260 and outstanding as of January 1, 2009, and any recorded plat or final site plan valid under § 15.2-2261 and outstanding as of January 1, 2009, shall remain valid until July 1, 2014, or such later date provided for by the terms of the locality's approval, local ordinance, resolution or regulation, or for a longer period as agreed to by the locality. Any other plan or permit associated with such plat or site plan extended by this subsection shall likewise be extended for the same time period.*

*B. Notwithstanding any other provision of this chapter, for any valid special exception, special use permit, or conditional use permit outstanding as of January 1, 2009, and related to new residential or commercial development, any deadline in the exception permit, or in the local zoning ordinance that requires the landowner or developer to commence the project or to incur significant expenses related to improvements for the project within a certain time, shall be extended until July 1, 2014, or longer as agreed to by the locality. The provisions of this subsection shall not apply to any requirement that a use authorized pursuant to a special exception, special use permit, conditional use permit, or other agreement or zoning action be terminated or ended by a certain date or within a set number of years.*

*C. Notwithstanding any other provision of this chapter, for any rezoning action approved pursuant to § 15.2-2297, 15.2-2298, or 15.2-2303, valid and outstanding as of January 1, 2009, and related to new residential or commercial development, any proffered condition that requires the landowner or developer to incur significant expenses upon an event related to a stage or level of development shall be extended until July 1, 2014, or longer as agreed to by the locality. However, the extensions in this subsection shall not apply (i) to land or right-of-way dedications pursuant to § 15.2-2297, 15.2-2298, or 15.2-2303, (ii) when completion of the event related to the stage or level of development has occurred, or (iii) to events required to occur on a specified date certain or within a specified time period. Any proffered condition included in a special exception, special use permit, or conditional use permit shall only be extended if it satisfies the provisions of this subsection.*

*D. The extension of validity provided in subsection A and the extension of certain deadlines as provided in subsection B shall not be effective unless any performance bonds and agreements or other financial guarantees of completion of public improvements in or associated with the proposed development are continued in force.*

---

**Legislative Information System**



Jun4 14, 2010

Tom Bonadeo,  
Town Planner  
Town of Cape Charles  
2 Plum Street  
Cape Charles, VA 23310

Dear Tom,

Please accept this communication as a request to extend the Conditional Use Permits for the Cape Harbor Project. Of course we would like to have the CUPs extended in accordance with Bill 2077 as signed by former Governor Kaine assuring the CUP's validity until July, 2014, but short of that approval, we request an extension with the opportunity for additional extensions as needed.

Subsequent to the CUP approvals, Landmark has commenced the process for the Harbor Area Development Certificate. In accordance with the established procedures for the Harbor Area Development Certificate, Landmark has submitted a General Application, paid the established fees, provided a letter of application, and a plot plan. Additionally, the pre-application meeting, General application meeting, Post application meeting, and First Review meetings have been concluded.

Having received feedback and direction from HARB to proceed with the Detailed Application Landmark has prepared the following:

- (1.) Location, amount, character and continuity of open space.
- (2.) A delineation of those general areas that have scenic assets or natural features deserving protection and preservation, including elevations demonstrating protection of views from existing streets, and a statement of how such will be accomplished.
- (3.) Convenience of access through and between buildings or in other locations where appropriate for public purposes and where such access will reduce pedestrian congestion on public streets.
- (4.) Separation of pedestrian and vehicular traffic.

3351 Stone Road  
Cape Charles, VA 23310  
757.331.8284  
Fax: 757.331.3292

(5.) Conceptual renderings of building exteriors. These designs still require review in accordance with the soon to be adopted Architectural Guidelines.

The Landscape plans delineating dimensions and distances and the location, type, size, and description of all existing and proposed plant materials are underway and are anticipated for completion shortly. The location and dimensions of on-site signage shall be driven by the Architectural Guidelines and market.

It is Landmark's hope that the efforts and cooperation put forth towards bringing the Cape Harbor Project to fruition, *in extremely challenging economic times*, shall serve as a substantial commitment to the project and suffice for an extension of the CUPs.

Thank you for your consideration, if I may be of any assistance regarding this matter, please do not hesitate to contact me.

Sincerely,



Judith Morgan  
Operating Manager for  
Landmark Holdings, US LLC

3351 Stone Road  
Cape Charles, VA 23310  
757.331.8284  
Fax: 757.331.3292

 <p>TOWN OF CAPE CHARLES</p>	<b>AGENDA TITLE:</b> Ordinance – 42.3 Adoption of State Law		<b>AGENDA DATE:</b> July 8, 2010
	<b>SUBJECT/PROPOSAL/REQUEST:</b> Adopt Ordinance		<b>ITEM NUMBER:</b> 7.F.
	<b>ATTACHMENTS:</b> Draft Ordinance		<b>FOR COUNCIL:</b> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/>
	<b>STAFF CONTACT (s):</b> Charles Brown, Police Chief	<b>REVIEWED BY:</b> 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:**

Accept the proposed ordinance as presented.

**ORDINANCE NO: 20100708**

**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 the 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 8, 2010.

\_\_\_\_\_  
Mayor Dora Sullivan

ATTEST:

\_\_\_\_\_  
Town Clerk



TOWN OF  
CAPE CHARLES

**AGENDA TITLE:** Virginia Department of Transportation  
Resolution

**AGENDA DATE:**  
July 8, 2010

**SUBJECT/PROPOSAL/REQUEST:** VDOT Resolution

**ITEM NUMBER:**  
7.G.

**ATTACHMENTS:** Resolution 20100708A

**FOR COUNCIL:**  
Action (X)  
Information ( )

**STAFF CONTACT (s):**  
Dave Fauber, Director Public  
Works and Utilities

**REVIEWED BY:**  
Heather Arcos, Town Manager

**BACKGROUND:**

From time to time, the Town of Cape Charles needs to obtain permits from the Virginia Department of Transportation (VDOT) to install, construct, maintain and operate certain public works and public utilities projects along, across, over and upon highway systems of the Commonwealth of Virginia.

**DISCUSSION:**

In order to make the permit process easier for the Town, VDOT has requested that the attached resolution be adopted. This resolution is a continual resolution and does not need to be redone on an annual basis.

**RECOMMENDATION:**

Staff recommends adoption of Resolution 20100708A Agreeing to the Provisions of the Land use Permit Manual of the Virginia Department of Transportation with a roll call vote.

**TOWN OF CAPE CHARLES  
RESOLUTION 20100708A**

**AGREEING TO THE PROVISIONS OF  
THE LAND USE PERMIT MANUAL OF THE  
VIRGINIA DEPARTMENT OF TRANSPORTATION**

**WHEREAS**, it becomes necessary from time to time for the Town of Cape Charles, Virginia to obtain permits from the Virginia Department of Transportation to install, construct, maintain, and operate certain public works and public utilities projects along, across, over, and upon highway systems of the Commonwealth of Virginia; and

**WHEREAS**, expense, damage or injury may be sustained by the Commonwealth of Virginia growing out of the granting to the Town of Cape Charles by the Virginia Department of Transportation of said permits for the work aforesaid;

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council this 8th day of July, 2010:

**Section 1:** That per the provisions of Section 1.064 of the Land Use Permit Manual of the Virginia Department of Transportation, the Town of Cape Charles does hereby grant assurances to the Virginia Department of Transportation that it shall in all respects comply with all of the conditions of the permit or permits that have been, or will be, granted to the Town of Cape Charles and that said jurisdiction does hereby certify that it will carry liability insurance for personal injury and property damage that may arise from the work performed under permit and/or from the operation of the permitted activity as follows: up to one million dollars (\$1,000,000) each occurrence to protect the Commonwealth Transportation Board members and Department's agents or employees; seventy-five thousand dollars (\$75,000) each occurrence to protect the Board, Department or the Commonwealth in the event of suit.

**Section 2:** That the Town Mayor, or his designee, be, and hereby is, authorized to execute on behalf of the Town of Cape Charles all Land Use Permits and related documents of the Virginia Department of Transportation.

**Section 3:** That this resolution shall be a continuing resolution and shall not be revoked unless and until sixty (60) days written notice of any proposed revocation be submitted to the Virginia Department of Transportation.

**Section 4:** That the Town of Cape Charles shall, **if requested by the Virginia Department of Transportation**, furnish or **shall require** its contractors to furnish to the Virginia Department of Transportation a performance bond, guarantee fee or irrevocable letter of credit in a minimum amount of ten thousand dollars (\$10,000) to cover the performance of the permitted work.

**BE IT STILL FURTHER RESOLVED** that the Town Mayor be, and hereby is, authorized and directed to procure the insurance required by Section 1 above.

\*\*\*\*\*

Adopted by the Town Council of the Town of Cape Charles, July 8, 2010

By: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk