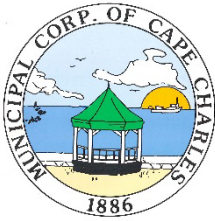




TOWN COUNCIL
Regular Meeting
June 20, 2024
Cape Charles Civic Center
6:00 PM

1. Call to Order
 - A. Roll Call
 - B. Establish quorum
2. Moment of Silence and Pledge of Allegiance
3. Recognition of Visitors / Presentations / Recognitions
 - A. None
4. Public Comments (3 minutes per speaker for topics not subject to this evening's public hearing)
5. *Consent Agenda
 - A. Approval of Agenda Format
 - B. [Approval of Minutes](#)
 - C. [Approval of April 30, 2024 Financial Report](#)
6. Unfinished Business:
 - A. None
7. New Business:
 - *A. [FY 2025 Proposed Budget & Appropriation](#)
 - *B. [Regulation of Motorized Conveyances on Sidewalks](#)
 - *C. [Town Code Chapter 28 – Adoption of State Law](#)
 - *D. [Appointment of Building Code Board of Appeals Member](#)
8. Town Manager Comments
9. Mayor & Council Comments (5 minutes per speaker)
10. Announcements
 - July 4, 2024 – Offices closed for Independence Day holiday
 - July 18, 2024 – Town Council Regular Meeting
 - July 25, 2024 – Town Council Work Session – Beachfront Master Plan
 - August 1, 2024 – Town Council Work Session – *if needed*
 - August 6, 2024 – Joint Work Session with Planning Commission
 - August 15, 2024 – Town Council Regular Meeting
11. Adjournment



DRAFT
TOWN COUNCIL
Regular Meeting
Cape Charles Civic Center
May 16, 2024
6:00 PM

At approximately 6:00 p.m. Vice Mayor Steve Bennett, having established a quorum, called to order the Regular Meeting of the Cape Charles Town Council. In addition to Vice Mayor Bennett, in attendance were Councilmen Buchholz, Butta and Grossman, and Councilwoman Holloway. Councilman Follmer arrived at 6:03 p.m. Mayor Charney was not in attendance. Also, in attendance were Town Manager John Hozey, Police Chief Jim Pruitt, Assistant to the Town Manager Julie Pruitt, and Town Clerk Libby Hume. There were 2 members of the public physically in attendance, and 21 viewers on Facebook.

A moment of silence was observed followed by the recitation of the Pledge of Allegiance.

RECOGNITION OF VISITORS / PRESENTATIONS/RECOGNITIONS:

A. National Public Works Week Proclamation:

Vice Mayor Bennett read Proclamation 20240516 proclaiming the week of May 19-25, 2024 as National Public Works week.

Motion made by Councilman Grossman, seconded by Councilman Buchholz, to adopt Proclamation 20240516 designating May 19-25, 2024 as National Public Works Week. The motion was approved by unanimous vote.

Vice Mayor Bennett gave the proclamation to Town Manager John Hozey to present to the Public Works Department.

PUBLIC COMMENTS: (3 MINUTES PER SPEAKER)

Town Clerk Libby Hume read letters and emails from Walter Bronson, Susan Burger, and Julie Jones that were submitted in writing. (Please see attached.)

There were no additional comments to be heard nor any additional comments received in writing prior to the meeting.

CONSENT AGENDA

- A. Approval of Agenda Format
- B. Approval of Minutes:
 - i. April 18, 2024 Town Council Public Hearing & Regular Meeting
 - ii. April 18, 2024 Town Council Executive Session
 - iii. April 29, 2024 Town Council Town Hall Meeting
 - iv. May 2, 2024 Town Council Work Session
- C. Approval of March 31, 2024 Financial Report

Town Manager John Hozey stated that a change had been made to the Three-Year Revenue Comparison page of the financial report and the corrected page was placed on the dais for review prior to approval of the Consent Agenda.

Motion made by Councilwoman Holloway, seconded by Councilman Grossman, to approve the Consent Agenda with the replacement page of the financial report. The motion was approved by unanimous vote.

UNFINISHED BUSINESS:

There was no unfinished business for review.

NEW BUSINESS:

A. *Cape Charles Volunteer Fire Company Fire Lane Designation Request:*

John Hozey stated that a letter was received from the Cape Charles Volunteer Fire Company (CCVFC) asking for assistance in obtaining a designated fire lane on Mason Avenue directly across from the fire station due to the growing number of instances where the CCVFC personnel arrived at the station in response to a fire call to find no available parking spaces for their personal vehicles, adding that this situation had the potential to significantly delay the CCVFC's response time. This situation would be compounded during the summer months. In addition to providing parking spaces for the CCVFC personnel, the area would provide extra maneuvering space to back the fire trucks into the building. Establishment of this fire lane would not only alleviate parking concerns, but also enhance the efficiency and effectiveness of the CCVFC's emergency response operations. A Town Council resolution of support needed to be included with the CCVFC's application to VDOT.

John Hozey thanked Cape Charles Main Street for taking this project on.

Motion made by Councilman Grossman, seconded by Councilwoman Holloway, to adopt Resolution 20240516A In Support of the Request from the Cape Charles Volunteer Fire Company for the Designation of a Fire Lane on Mason Avenue. The motion was approved by unanimous vote. Roll call vote: Bennett, yes; Buchholz, yes; Butta, yes; Follmer, yes; Grossman, yes; Holloway, yes.

B. *Request for Handicap Parking Designation at 218 Washington Avenue:*

John Hozey stated that a request was received from Mr. Kevin Rech, owner of 218 Washington Avenue, asking for assistance in obtaining a designated handicap parking space in front of his residence. Mr. Rech's wife was handicapped, making it extremely difficult for her to walk any distance. Mr. Rech stated in his request that this was their second home and they lived in Cape Charles for approximately six months out of the year. The parking issues in the historic district were well known with no reserved parking on the streets within the residential district. During the busy tourist season, it was often very difficult for residents to find parking in front of or within a close proximity to their homes. A Town Council resolution of support needed to be included with the VDOT application.

John Hozey went on to state that the Town rarely received this type of request in the past, however, this was the second such request received in the last six months. He currently did not have any guidance from the Town Council and requested a policy be set for any future requests of this kind.

Motion made by Councilman Grossman, seconded by Councilwoman Holloway, to adopt Resolution 20240516B-In Support of the Request from Kevin Rech for the Designation of a Handicap Parking Space at 218 Washington Avenue.

John Hozey stated that this was a VDOT decision and staff did not need to be involved regarding the need behind the request. Councilman Butta had contacted him with a question about the residency of the requester and he felt that this was a comment worth discussing this evening. There was discussion as follows: i) If approved by VDOT, a handicap space would be designed at this residence that would only be used for half the year since this was a second home for the property owner who stated that they only lived here for about six months of the year; ii) Washington Avenue had available parking on both sides of the road with the northern side being unused the majority of the time; iii) There was no alley behind this property; iv) It was noted that a policy needed to be in place that this type of request would only be considered for full-time residents using the property as their primary residence.

Vice Mayor called for a vote. The motion was denied by unanimous vote. Roll call vote: Bennett, no; Buchholz, no; Butta, no; Follmer, no; Grossman, no; Holloway, no.

C. Tax Rate and Fee Schedule:

John Hozey stated that when the Town Code was recodified, certain fees and tax rates which had previously been set by the Code, were struck and replaced by the phrase “as adopted by the town.” However, no fee schedule was formally adopted. The tax rates and fees detailed in the proposed schedule were the rates established by the Town Code prior to recodification and were those currently being charged by the Town. Adoption of this schedule was only necessary due to the change in the language in the recodified Town Code.

Councilman Buchholz asked about fees for manufacturing which were not included in this listing. John Hozey stated that he would look into this fee.

Motion made by Councilman Grossman, seconded by Councilwoman Holloway, to approve the proposed tax rate and fee schedule as presented. The motion was approved by unanimous vote.

TOWN MANAGER COMMENTS

John Hozey commented as follows:

- i) The Peach Street project was close to completion. The only thing left was the striping of the street which had to be postponed until next week due to weather. It should be completed either next Tuesday or Wednesday. Barricades were going up next Monday on the north side of Mason Avenue along the Peach Street entrance to Bailey’s so the area could be striped. The light poles arrived, and the Town would have them installed.

Councilwoman Holloway asked that a notification be sent to Cape Charles Main Street (CCMS) so they could communicate with the businesses.

- ii) There were two new hires: Nathan Ruff in Public Works, and Olivia Coleman at the Library. We were still recruiting for the position in the Planning & Zoning department.
- iii) The arrangements were made to pay off the final bond debt and the payment should be made next week.
- iv) A work session regarding short-term rentals (STRs) was scheduled for June 13th.

VICE MAYOR AND COUNCIL COMMENTS

Councilman Buchholz stated that it would be a busy weekend in Town, rain or shine.

Councilman Butta commented as follows: i) He noted that there were people on Strawberry Street today selling rugs out of the back of a truck, and asked whether a license was needed. It was noted that a peddler’s license was required; ii) He wanted to thank Lemon Tree and the Palace Theatre for stepping up and increasing the entertainment opportunities in the Town with concerts, plays, etc. It made for a better off season for the locals. They did a great job.

Councilman Grossman commented as follows: i) HB 1461 related to localities’ ability to limit subleases for STRs with the homeowner’s concurrence was signed, but the bill limited the homeowner to one property. i.e., If an individual rented a house as a long-term rental, that tenant could rent the house out as a short-term rental with the owner’s concurrence; ii) SB 544 was approved stating that any STR Ordinance adopted after December 31, 2023 could not require a conditional use permit on a home being used as an STR if it was a primary residence. i.e., If the homeowner designated the house as their primary residence, but only lived here for six months, it could be rented as an STR for the remainder of the year. Councilwoman Holloway added that primary residents vote, etc., but might not live here year-round; iii) Two bills related to accessory dwelling

units (ADUs) were postponed. They were trying to allow ADUs by-right with state-level criteria. An agreement could not be reached so the bills were tabled. The Virginia Housing Commission was supposed to help resolve the issues and would be meeting on May 20th. He checked the website and found where he was on that committee but had not received any notification of being appointed. His concern with ADUs was that the state was pushing for them to be permitted by-right with only state-level criteria. A locality could not adopt any ordinances other than the state's. Councilman Buchholz stated that we needed to ensure that owners could not move into their ADUs and rent their main house as an STR. ADUs were permitted to encourage long-term rentals. Councilman Grossman added that in looking at the members of the committee, several were Realtors and from larger cities. He would do his best to represent the Town, and he might invite Katie Nunez to join him on the 20th.

Vice Mayor Bennett noted that there was no striping on the street in front of Buskey's Cider and noted that there could be an additional four or five parking spaces if that area was striped. Councilwoman Holloway added that there was a similar area in front of Cowlicks and 76 West, which had curb cuts since they were the former entrances into Meatland. John Hozey stated that he contacted VDOT about these areas but had never heard back from them. Councilman Follmer added that those spots on Mason Avenue were causing confusion with commercial tenants assuming that they were loading zones for the use of the businesses. Vice Mayor Bennett noted that loading zones needed to be marked as well; ii) The paint was fading on the lower portion of the Town's Welcome sign at Route 13, and the "free beach" and "free fishing pier" language was visible again. He challenged CCMS to design a permanent sign for that location. Councilwoman Holloway stated that CCMS was awarded a grant from Northampton County and would be developing a plan for the whole entrance corridor from Route 13, and that sign would be included in the plan. John Hozey stated that in the meantime, he would get the sign repainted; iii) He saw Cody Toadvine and Gerald Elliott in his yard earlier today reading water meters and they were so excited about their new positions with VAW. They had new equipment and were learning new things and were two happy guys. They told him that VAW was getting ready to install remote-read water meters throughout Town.

Councilwoman Holloway and Councilman Follmer did not have any additional comments.

Vice Mayor Bennett read the announcements. John Hozey added the June 6th Executive Session, immediately following the budget public hearing, for Planning Commission interviews.

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

The Regular Meeting adjourned at 6:37 p.m.

Vice Mayor Bennett

Town Clerk

**May 16, 2024 Town Council Regular Meeting
Comments and Information Provided in Writing**

Walter Bronson, 515 Tazewell Avenue

I'm afraid my attempt to quote numbers and the immediate debate about them from Council completely overshadowed the points that I was trying to make at the STR Public Hearing. There were four:

First: While I agree that STRs are not the complete bane of Cape Charles, nor do I believe that they are the complete savior that some would have you believe either. At least one STR owner spoke of driving into town and turning around and leaving before even getting to downtown during their first visit. A visit several years later found things still not great but better and she decided to repair a house and open it as a STR so clearly things were improving prior to STRs becoming as numerous as they are today. I'm not saying the STRs have not helped the recovery of Cape Charles, but there were and are many other factors involved than just STRs.

Mr. Buchholtz presented one himself. When I tried to explain that the town is overrun with tourists by explaining that some people run down to the beach at the crack of dawn to stake out their spot, Mr. Buchholz blamed that on the nearby campgrounds and day trippers. Are we to believe that the campground and day trippers only come to the beach and don't patronize our businesses and that STR renters only patronize our businesses, but don't use the beach?

This leads to the SECOND point I was trying to make. We moved here, STR renters come here, and others visit Cape Charles because it is a quaint little town with a nice beach, numerous restaurants, cute shops and other amenities. We all know that during the summer season that it can be virtually impossible to get into a restaurant and all the town amenities are as crowded as the beach. We are getting to the point where we are a tourist trap and not a quaint little town any longer. Eventually that is going to hurt the tourism industry. We are quickly becoming a victim of our own success.

Speaking of success, point number THREE, one of the officers from Cape Charles Main Street took credit for helping to fill in the shoulder season. I agree, the Town has many visitors beyond just the 12 weeks of the summer season that some STR proponents would have you believe is the only time that STRs stress the Town. STRs and other tourists flock to the town for spring break, the Love Run, Festive Fridays and other events well beyond the 12 week summer season.

Point FOUR. Currently STRs are very popular and in high demand. Because of that demand STRs are very profitable and STR owners can afford to pay high prices for properties because of the high rents they can charge. It also means higher taxes for those wishing to stay.

Because STRs are currently popular, especially in Cape Charles, rents are quite high. The high rents mean that the clientele tends to be affluent families. All pendulums swing back and forth though. During Covid STRs saw unprecedented growth. However, more recently the news has stories of the vacationing public becoming disenchanted with Airbnb and VRBO and growth is slowing and even some STR proponents have spoken of slowing rentals.

What happens when demand reduce and supply increases, which will undoubtedly happen at some point, be it this year, next year, or five years from now? Prices will drop as owners compete to try and stay booked and then the clientele will change. At the extreme, STR owners may not be able to pay their mortgages and then there will be a sell off, devaluation of properties, and possibly a return to abandoned and empty buildings. Restricting the supply of STRs now will help to limit the damage that will eventually happen.

Lastly, it appears that the businesses in Cape Charles are doing fine now. Do we need more STRs to support more tourist related shops? Then we need more tourists to support those shops. When does the cycle end?

Sincerely,
Walter Bronson

Susan Burger, 550 Madison Avenue

I'm the one! I'm the one who recently approached the town employee who was walking around and removing Limit STR signs from the easements. I am not sure why she was instructed to take them, as opposed to leaving the signs in the homeowners yard, but she was kind enough to let me have the signs so I could give the signs to the homeowners. I will just say that if the easement, where some residents actually plant lovely gardens, are areas where we can not put up signs then that should also be the case for signs in flower beds on Mason Ave!

In a variety of ways the residents who chose to put Limit STR signs in their yards have been requested to take them down (even the Mayor posted that on Facebook!) stating that it is not welcoming to visitors. In response, someone, I am not sure exactly who, had the Cape Charles Loves Visitors signs made up. And now there are complaints about how tacky it looks have all these signs all over town. What the Cape Charles Loves Visitors signs accomplished was first to identify many of the homes that are short term rentals – and there's a lot of them! It also accomplished setting up a visual of the conflict. Those signs are there because of the Limit STR signs. It gives the visual message that folks who have Limit STRs signs on their properties don't love visitors in Cape Charles. And for some that may be true but not for everyone. Limiting STRs means just that! I just wonder how many more people can come to town with their cars and boats and how many more homes can be STRs without the whole historic district becoming one large motel!!

An informal group of Limit STRs residents reached out to the Vacation Homeowners group with an invitation to meet and come to some compromises that could be presented to you, the Town Council, as you examine this problem. The Vacation Homeowners did not want to meet. They said that was what the Town Hall was about. I disagree. While some good ideas were presented at the Town Hall meeting, there was nothing put on the table for you to consider that shows compromise so now the process is about who gets their way instead of about working together.

Please consider a PAUSE on issuing any new business licenses for STRs until there is some control over this situation. Please consider hiring a Town employee to be in charge of everything related to STRs and who can keep a registry of owners.

~Susan Burger, 550 Madison Ave

Julie Jones, 538 Monroe Avenue

My name is Julie Jones. My husband and I live at 538 Monroe Avenue.

Thank you for providing the opportunity to speak during the public comments tonight.

I have a question for you tonight:

Do you see value in having full time residents in Cape Charles? Just off the top of my head, here are some of the volunteer opportunities for people that benefit the town of Cape Charles:

Between the Waters Bike Tour
Building Code Board of Appeals
Cape Charles concerts in Central Park
Cape Charles Day and Community Clean Up
Cape Charles Illumination in Central Park
Cape Charles Main Street
Cape Charles Museum
Festive Fridays
Friends of the Cape Charles Library
Historic District Review Board
July 4 parade and events
Love Fest in Central Park
LOVE run
New Roots Youth Garden
Planning Commission
Rescue Squad

Thursdays in the Park clean up
Volunteer Fire Company
Wetlands and Coastal Dune Board

Are the volunteers who give so much of their time, energy and talents, to make all of this possible, residents of Cape Charles, or tourists staying in short term rentals?

Just using our block of Monroe Avenue as an example, almost every time that a neighbor's home sells, it becomes a short term rental.

Are you OK with no limits on short term rentals in Cape Charles?

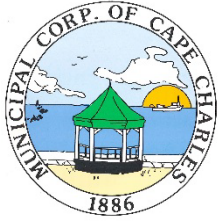
Given your reluctance to regulate the proliferation of short term rentals, it would seem that you value the money from tourists and unlimited short term rentals over full time residents.

More and more short term rentals equals fewer and fewer residents to fill the volunteer needs of Cape Charles.

As you ponder solutions to the problem of short term rentals in our town, please think about the people who live here and love this little town that they call home.

Do full time residents add value to the town? If so, how are you showing them that they are valued?

Thank you so much for your service to the people of Cape Charles,
Julie Jones



DRAFT
TOWN COUNCIL
Work Session
Cape Charles Civic Center
May 16, 2024
6:00 PM

At approximately 6:37 p.m. Vice Mayor Steve Bennett, having established a quorum, called to order the Regular Meeting of the Cape Charles Town Council. In addition to Vice Mayor Bennett, in attendance were Councilmen Buchholz, Butta, Follmer and Grossman, and Councilwoman Holloway. Mayor Charney was not in attendance. Also, in attendance were Town Manager John Hozey and Town Clerk Libby Hume. There were 2 members of the public physically in attendance.

WORK SESSION ORDER OF BUSINESS:

A. Finalizing the FY 2025 Budget:

Town Manager John Hozey distributed the updated budget documents adding that he had not been able to provide the amount of detail in this budget due to the amount of work related to the utility sale. He was able to spend some time reviewing everything and discovered an error in the Harbor Fund which was overbudgeted by \$110K. This fund was reduced by that amount, which also reduced the amount of the transfer from the General Fund. John Hozey went on to review the proposed budget changes since the May 2, 2024 work session. (Please see attached.)

John Hozey walked Council through the FY25 budget details as follows:

General Fund Revenue: i) As discussed at the May 2nd work session, the estimated budget surplus was absorbed, reducing the real property tax rate to \$0.1481 per \$100 which was below the equalization rate; ii) Reduction or elimination of the personal property tax (PPT) was discussed at the last work session. If the Town were to eliminate this tax, we would lose the funding from the state which was about \$35K per year. We reduced the PPT rate by 50% in FY 2024, from \$2 per \$100 to \$1 per \$100. Council agreed to leave the rate at \$1 per \$100 and review it again next year; iii) It was suggested that a message be drafted informing the citizens of reductions in the real property tax rate as well as the PPT tax rate last year; iv) The estimated revenue from the sale of the two vacant residential lots on Randolph Avenue behind the library was removed per discussion at the last work session. There was discussion about the need for parking and trash management, and the potential use of the inner lot for that purpose. John Hozey asked Council if they would entertain an offer to purchase that lot if it would facilitate the needs of some of the businesses. Council expressed their concern about the neighboring residences and the affect to the value of the corner lot if the adjacent lot was used for parking and trash management; v) There was an oversight so the grant application to Northampton County requesting funding assistance for the July 4th fireworks had not been submitted. An application would be submitted in the next round of grants in the fall for the Dock Dogs event in November. The revenue line item would be reduced to \$5K for the Dock Dogs event; vi) a new revenue line item was added for payments from Virginia American Water (VAW) for the use of the Town's public works personnel to assist in water meter reads for six months.

General Fund Expenditures: i) The Position Evaluation System (PES) was implemented as approved by Council and the staff salaries had been updated accordingly. The total cost of the salary changes was \$116,817; ii) The Virginia Risk Sharing Association (VRSA) insurance renewals were received, and most items increased. The applicable costs were updated; iii) Estimated water and sewer charges were added based on minimum usage; iv) The seasonal wages for beach attendants was increased based on the May 2nd discussion; v) The community support grant amounts were updated as discussed on May 2nd; vi) Recreation Programs & Events included Dock Dogs. John Hozey explained that the contract included a requirement for the Town

to provide lodging for two rooms for four nights. Last year, Mayor Charney covered this cost and offered his rental property for their use. The Town would have to cover the cost this year since the Mayor no longer owned his rental property. The potential lodging cost was discussed, and it was agreed to add \$2K for this expense. It was suggested that we should solicit sponsorships to help subsidize some of the costs. Councilman Grossman suggested contacting VAW to provide the water for the pool; vii) Vice Mayor Bennett stated that a decision had not been made related to his suggestion of a one-time donation to the Cape Charles Volunteer Fire Company (CCVFC) for the piece of equipment that they needed. He asked that this be discussed further so funding could be committed for this in case the CCVFC was able to obtain the needed funding to cover the remainder of the cost. Councilman Follmer suggested \$250K be allocated toward this purchase. Vice Mayor Bennett agreed, adding that the Town could set a deadline for this purchase and hold the funds until that time. John Hozey noted that there was \$1.9M in the General Fund Balance. After further discussion, a consensus was reached to notify the CCVFC of this potential funding which would match their fundraising efforts dollar for dollar up to \$250K. The CCVFC would have five years to raise their portion. If they had \$500K, the remainder could be financed; viii) John Hozey notified Council that Cape Charles Main Street (CCMS) was spearheading the project for Sail250 which would bring tall ships into Cape Charles. The organization committee asked if the Town could provide some funding assistance. Their thought was to bring in a small, medium and large vessel which would cost about \$50-75K. CCMS could obtain sponsors to also assist with this expense. There was some discussion and Council requested a proposal and budget from CCMS for consideration; ix) The \$4K VML Risk Management grant expense which was discussed on May 2nd, was placed in the Public Works budget with the project to be determined; x) The cost of the new equipment for Public Works, as approved by Council, was added; xi) \$4,700 Virginia Touring Grant expense was added to the Library budget for STEM education and supplies; xii) Councilman Follmer suggested adding \$5K for town manager recruitment advertising. There was discussion regarding the salary amount for advertising and whether we could obtain the salaries of the town managers from Onancock and Chincoteague. A possible housing allowance was also mentioned to help offset housing costs. John Hozey stated that he added funding in several line items for town manager recruitment including \$5K for relocation expenses, \$5K for advertising, \$15K for professional services for marketing materials for a total of \$25K. A potential housing allowance could be added later during the mid-year budget review if needed. Council requested an additional \$5K be added to the advertising budget for recruitment.

Capital Fund: \$50K was added for sidewalk infill as discussed previously.

Harbor Fund: i) As stated earlier, an error was discovered in the Harbor Fund. There were three projects included (Inner Harbor Bulkhead Rehabilitation Phase 3, Rehabilitation of the Fixed Dock, and Boardwalk Replacement) which totaled about \$285K. In the initial budget, Assistant Treasurer Adrian Oei had included the \$110K Virginia Port Authority (VPA) reimbursement in the notes and had added it into the total which showed as \$395K. This amount was corrected. The Town was awarded a 75% grant from the VPA versus 50% that was originally estimated. These amounts were also updated, and the transfer amount from the General Fund was reduced accordingly.

John Hozey stated that he had waited until after the sale of the utilities and after the finalization of the FY 2025 budget, to bring up discussion about the Harbor. The current management contract would be expiring in December, so he would like to begin discussion about the future of the harbor management by August or September.

John Hozey went on to state that the small changes made this evening would be incorporated and the income from investments would be adjusted to balance the budget. The public hearing advertisement needed to be submitted to the newspaper by next Tuesday morning for publication. The public hearing was scheduled for June 6, 2024, with budget adoption at the June 20 regular meeting. Our next meeting was a joint work session with the Planning Commission on June 4, 2024 to continue the review of the zoning ordinance update.

Motion made by Councilman Buchholz, seconded by Councilman Grossman, to adjourn the Town Council Work Session. The motion was approved by unanimous vote.

The meeting was adjourned at 7:48 p.m.

Vice Mayor Bennett

Town Clerk

DRAFT

Attachments from May 16, 2024 Town Council Budget Work Session

FY25 Proposed Budget Changes

5/2/24 to 5/16/24

	<u>2-May</u>	<u>16-May</u>	<u>Difference</u>
<u>GF Revenue</u>			
Real Property Tax	\$ 1,735,856.00	\$ 1,491,536.00	\$ (244,320.00)
Investment Income	\$ 120,000.00	\$ 378,870.00	\$ 258,870.00
Sale of Property	\$ 600,000.00	\$ -	\$ (600,000.00)
Library Grant	\$ -	\$ 400.00	\$ 400.00
VAW Meter Readings	\$ -	\$ 9,600.00	\$ 9,600.00
		Net change:	\$ (575,450.00)

<u>GF Expenditures</u>			
New Position Evaluations	\$ -	\$ 116,817.00	\$ 116,817.00
VRSA Insurance Renewal	n/a	\$ 5,124.57	\$ 5,124.57
New Water/Sewer Charges	n/a	\$ 8,451.36	\$ 8,451.36
Beach Attendants	\$ 10,250.00	\$ 13,150.00	\$ 2,900.00
YMCA	\$ 7,500.00	\$ 10,000.00	\$ 2,500.00
Harbor Transfer	\$ 309,291.00	\$ 198,523.00	\$ (110,768.00)
New PW Equipment	\$ -	\$ 223,965.00	\$ 223,965.00
Library Appreciation	\$ 200.00	\$ 500.00	\$ 300.00
Library Grant Expense	\$ -	\$ 4,700.00	\$ 4,700.00
VML Grant Expense	\$ -	\$ 4,000.00	\$ 4,000.00
		Net Change:	\$ 257,989.93

<u>CIP Expenditures</u>			
Sidewalk Infill	\$ 25,000.00	\$ 50,000.00	\$ 25,000.00
Transfer to Fund Balance	\$ 6,385,807.00	\$ 6,360,807.00	\$ (25,000.00)
		Net Change:	\$ -

<u>Harbor Revenue</u>			
VPA Grant	\$ 110,768.00	\$ 166,153.00	\$ 55,385.00
GF Transfer	\$ 359,691.00	\$ 198,523.00	\$ (161,168.00)
		Net Change:	\$ (105,783.00)

<u>Harbor Expenditures</u>			
VRSA Insurance Renewal	\$ 31,291.00	\$ 36,276.00	\$ 4,985.00
Capital Projects	\$ 395,305.00	\$ 284,537.00	\$ (110,768.00)
		Net Change:	\$ (105,783.00)



DRAFT
TOWN COUNCIL
Public Hearing
Cape Charles Civic Center
June 6, 2024
6:00 p.m.

At 6:00 p.m., Mayor Adam Charney, having established a quorum, called to order the Public Hearing of the Town Council. In addition to Mayor Charney, present were Councilmen Buchholz, Butta, Follmer and Grossman, and Councilwoman Holloway. Also, in attendance were Town Manager John Hozey, Interim Treasurer Jerry Murphy and Town Clerk Libby Hume. There were 2 members of the public physically in attendance, and 2 viewers on Facebook.

A moment of silence was observed which was followed by the recitation of the Pledge of Allegiance.

Mayor Charney read the public hearing notice.

PUBLIC HEARING PUBLIC COMMENTS:

There were no comments to be heard from the members of the public in attendance, nor any comments provided in writing prior to the meeting.

Motion made by Councilman Grossman, seconded by Councilman Butta, to close the Town Council Public Hearing. The motion was approved by unanimous vote.

Councilman Grossman commented that he had spoken with Planner/Zoning Administrator Katie Nunez regarding the proposed Building & Zoning fees, adding that there were only two changes being made. One was the fee for items that did not require review by the Historic District Review Board was reduced from \$200 to \$75. As he went through the listing, he noted several items where the fees seemed excessive. These items included repainting a structure; replacing windowpanes; replacing roofing or slate tiles that had come off; and adding or deleting portable air conditioning units in existing windows. He felt that items such as those he described might need further consideration to possibly waive the fees and a determination of whether they really needed to be brought to the planning department for approval. He felt this since the Town was in the process of reviewing the zoning ordinance, this issue could be discussed further during one of the upcoming work sessions.

Motion made by Councilwoman Holloway, seconded by Councilman Grossman, to adjourn the Town Council Public Hearing. The motion was approved by unanimous vote.

The meeting was adjourned at 6:05 p.m.

Mayor Charney

Town Clerk

June 6, 2024 Town Council Public Hearing

FY 2025 Proposed Budget Public Hearing Notice



NOTICE OF PUBLIC HEARING MUNICIPAL CORPORATION OF CAPE CHARLES FISCAL YEAR 2025 PROPOSED BUDGET

Following are the estimated receipts and expenditures of the Municipal Corporation of Cape Charles for the Fiscal Year 2025. The Town Council will hold a Public Hearing on June 6, 2024 at 6:00 p.m. at the Cape Charles Civic Center, 500 Tazewell Avenue, to receive verbal and written comments on all proposed disbursements, as well as all tax and utility rate changes. Written comments can be submitted prior to the hearing via email to clerk@capecharles.org or hand delivered to Town Hall. Verbal comments can be provided during the public hearing. The proposed Fiscal Year 2025 budget and all tax and rate changes will be discussed and brought to a vote at the regular council meeting on June 20, 2024. For additional detail and explanation please visit the Town website at www.capecharles.org, under Agendas and Minutes / Town Council.

Proposed 2025 Budget

GENERAL FUND

Revenue	\$	5,124,100.85
Expense	\$	5,124,100.85

Following are the proposed tax rates and user fees which are part of the fiscal plan:
Rates that have changed are in bold print.

GENERAL CAPITAL FUND

Revenue	\$	10,790,805.67
Expense	\$	10,790,805.67

Vehicle License Tax: \$31.00 per vehicle subject to Virginia State Registration
(Trailers \$18.00) and Golf Cart Decal is \$31.00.

GENERAL DEBT SERVICE FUND

Revenue	\$	25,121.00
Expense	\$	25,121.00

Real Estate Tax: \$.1481 per \$100 of assessed value
Personal Property Tax \$1.00 per \$100 of assessed value

GENERAL SPECIAL ACTIVITIES FUND

Revenue	\$	25,500.00
Expense	\$	25,500.00

Boat Tax \$0.01 per \$100 of assessed value
Transient Occupancy Tax: 4.0% plus flat fee of: \$1 per night per room (Hotels/B&Bs)
or \$4 per night (Residential Units)

PUBLIC UTILITY FUND

Revenue	\$	9,576,513.71
Total Expenditures	\$	9,576,513.71

Trash Collection Fee: \$20.80 per month

HARBOR

Revenue	\$	1,162,576.00
Expenditures	\$	1,162,576.00

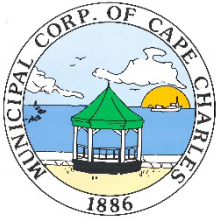
There are proposed changes to the Building, Planning and Zoning fee schedule,
which may be viewed at the Town website under Agendas and Minutes / Town
Council.

SANITATION

Revenue	\$	345,884.00
Expenditures	\$	345,884.00

Total Town Budget \$ 27,050,501.23

Adam Charney, Mayor



DRAFT
TOWN COUNCIL
Executive Session
Cape Charles Civic Center
June 6, 2024
Immediately Following the Public Hearing

At 6:11 p.m. Mayor Adam Charney, having established a quorum, called to order the Executive Session of the Cape Charles Town Council. In addition to Mayor Charney, in attendance were Councilmen Buchholz, Butta, Follmer and Grossman, and Councilwoman Holloway. Vice Mayor Bennett was not in attendance. Also, in attendance were Town Manager John Hozey and Town Clerk Libby Hume.

Motion made by Councilman Grossman, seconded by Councilwoman Holloway, and unanimously approved to go into Executive Session in accordance with Section 2.2-3711.A of the Code of Virginia for the purpose of: Paragraph 1: Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body.

Specifically: Interviews for Planning Commission

The one member of the public in attendance was asked to leave the room.

Council went into executive session at 6:12 p.m.

Motion made by Councilman Buchholz, seconded by Councilman Follmer, to return to open session. The motion was approved by unanimous vote.

The open portion of the meeting resumed at 7:55 p.m. There were no members of the public waiting to return to the meeting.

Certification, to the best of each member's knowledge, that (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: Buchholz, yes; Butta, yes; Follmer, yes; Grossman, yes; Holloway, yes.

Motion made by Councilman Grossman to appoint Mr. Ian McDonald to the Planning Commission effective immediately. The motion was approved by unanimous vote.

Motion made by Councilman Grossman, seconded by Councilman Butta, to adjourn the Town Council Executive Session. The motion was approved by unanimous vote.

The Executive Session adjourned at 7:57 p.m.

Mayor Charney

Town Clerk

April 2024 Treasurer's Report

Page 1 – Cash Position

- Total cash changed significantly in April, an increase of over \$10M over March. This was due to the VAW utility sale on April 24. The sale netted \$14,300,000 in proceeds, after a holdback of \$750,000. On the day of the sale, the VRA loan of \$2,049,974 was paid off. And on April 30, the Pinnacle bonds totaling \$1,688,181 were extinguished.
- The VML/VACO bonds were extinguished in May, a net payoff amount of \$1,008,305.00.
- The facility fee reserve cash balance as of 4-30-24 is \$3,707,039.

Page 2 – Revenues vs. Expenditures

- This report will be presented in July after we meet with the auditor from Robinson, Farmer & Cox who is recording the VAW sale transaction.

Page 3 – Capital Projects

- Two progress payments totalling \$142,517 were made to Conrad Brothers for the Multi-use Trail project phase III, representing nearly 80% of the contracted work.

Page 4 – Tax Collection Rate

- As of April 30, 2024, property tax collections year-to-date are \$1,676.808 representing 97% of tax billings.

Page 5 – Tax Revenue Trends

- Total business license (BPOL) tax collections fiscal ytd thru April 30 was \$288,428, representing a 13% decrease over the same time last year. In June, we began an aggressive collection effort to notify those businesses who have not filed a 2024 return that was due April 15.

MUNICIPAL CORPORATION OF CAPE CHARLES
TREASURER'S REPORT
April 30, 2024

<u>Cash on Hand</u>	<u>3/31/2024</u>	<u>4/30/2024</u>	<u>Increase/ (Decrease)</u>
Atlantic Union Bank Checking Account	\$364,878	\$55,417	-\$309,462
Atlantic Union Bank Money Market Account	\$1,385,912	\$1,387,515	\$1,602
LGIP Account 1 - Unrestricted	\$113,215	\$113,721	\$506
LGIP Account 2 - Unrestricted	\$329,291	\$330,898	\$1,608
Virginia Investment Pool Liquidity Unassigned	\$2,365,465	\$12,948,342	\$10,582,877
Virginia Investment Pool 1-3 Year Unassigned	\$1,043,938	\$1,039,728	-\$4,210
Total Cash On Hand	\$5,602,699	\$15,875,620	\$10,272,921

<u>Restricted and Reserved Cash Balances</u>	<u>3/31/2024</u>	<u>4/30/2024</u>	<u>Increase/ (Decrease)</u>
Atlantic Union Bank Checking Account - Police Funds	\$431	\$431	\$0
LGIP Account 2 - Restricted for USDA loan covenant	\$30,562	\$30,562	\$0
Atlantic Union Checking Account Library CD converted to cash	\$11,131	\$11,131	\$0
Atlantic Union Bank Checking Account - E-Summons Revenue Rsrvd	\$14,393	\$14,487	\$94
US Bank - Reserved per VRA Interest Free Loan Requirements	\$261,837	\$262,930	\$1,093
ComputerShare 2010 Debt Service pass through account #300	\$3,225	\$3,277	\$52
ComputerShare 2010 Debt Service pass through account #308	\$1,405	\$1,411	\$6
Atlantic Union Money Market # ARPA CRF #5847	\$8	\$0	-\$8
Virginia Investment Pool Liquidity Acct#1 Facility Fees Rsrvd (Utilities)	\$3,638,127	\$3,707,039	\$68,912
Total Cash Held in Reserve	\$3,961,118	\$4,031,268	\$70,150
Total Cash - All Accounts	\$9,563,817	\$19,906,889	\$10,343,072

DEBT SERVICE

Net Debt as of Current Reporting Month End (Excludes USDA vehicle and equipment loans)	\$995,000
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FY 24 Capital Improvement Project Tracking Report

As of:
4/30/2024

4/30/2024	FY24	Percent of	FY24	QTR 1	QTR 2	QTR 3	QTR 4	FY24 YTD	(Over)/Under
	Status or Start Date	Completion	Budgeted	Expended	Expended	Expended	Expended	Expended	Budget
General Capital Fund									
Multi-Use Trails, Phase 3 Construction	In Process	61.4%	\$ 1,055,454	\$ 8,860	\$ 148,788	\$ 323,203	\$ 167,170	\$ 648,021	\$ 407,433
Municipal Space Replacement Planning (ARPA)	In Process	35%	\$ 210,000	\$ 62,755	\$ 11,623			\$ 74,378	\$ 135,622
Welcome Center Design & Construction - HBA	In Process	1.0%	\$ 455,000	\$ 4,070	\$ 541			\$ 4,611	\$ 450,389
4 Police Vehicles; 1 ARPA/2 USDA	Pending	60%	\$ 164,291	\$ 98,742				\$ 98,742	\$ 65,549
Library Upgrade & Condo-ization - HBA	In Process	10%	\$ 310,000	\$ 4,323	\$ 27,203			\$ 31,525	\$ 278,475
Storage Facility Roofing	Pending	0%	\$ 20,000					\$ -	\$ 20,000
Capital Project Contingency	Pending	0%	\$ 41,141					\$ -	\$ 41,141
Subtotal	\$ -		\$ 2,255,886.00	\$ 178,749	\$ 188,155	\$ 323,203	\$ 167,170	\$ 857,277	\$ 1,398,609
Utility Fund -Water									
Keck Well Connection	In Process	2%	\$ 1,150,000	\$ 15,243	\$ 5,335		\$ 1,600	\$ 22,178	\$ 1,127,822
Utility Fund - Wastewater									
WWTP Membrane Replacement	In Process	100%	\$ 465,000		\$ 451,986	\$ 14,820		\$ 466,806	\$ (1,806)
Sewer Pod Controller Upgrades	-	101%	\$ 14,500		\$ 14,635			\$ 14,635	\$ (135)
Subtotal	\$ -		\$ 1,629,500.00	\$ 15,243	\$ 471,956	\$ 14,820	\$ 1,600	\$ 503,619	\$ 1,125,881
Harbor Fund									
Inner Harbor Fixed Dock Repair	Pending	0%	\$ 13,000					\$ -	\$ 13,000
Inner Harbor King Pile & Waler Replacement Design	In Process	4%	\$ 306,000	\$ 13,363	\$ -			\$ 13,363	\$ 292,638
Inshore Breakwater Repair/Upgrade	In Process	95%	\$ 656,998	\$ 4,688	\$ 167,592	\$ 450,871		\$ 623,150	\$ 33,848
Subtotal	\$ -		\$ 975,998	\$ 18,050	\$ 167,592	\$ 450,871	\$ -	\$ 636,513	\$ 339,486
TOTAL	\$ -		\$ 4,861,384	\$ 212,042	\$ 827,703	\$ 788,894	\$ 168,770	\$ 1,997,409	\$ 2,863,975
*ITEMS WITH CURRENT MONTH ACTIVITY ARE IN BOLD PRINT									

MUNICIPAL CORPORATION OF CAPE CHARLES

April 30, 2024

YTD 2023 Real Estate Tax Collections

Total Taxable Land Value	318,538,900	
Total Improvement Value	486,197,800	
Exemptions	(9,908,530)	
Additional Assessments (SCC Utility)	3,384,443	
Total Real Estate Value (taxable)	798,212,613	
 Total Budgeted Real Tax Revenue	 1,605,700	
Total Tax Billed	1,724,622	
Total Adjustments	(9,632)	
Total Collected YTD (percent of billed)	<u>1,676,808</u>	97%
Amount Due per Accounts Receivable	38,182	

**YTD 2023 Personal Property Tax, Machinery and Tools Tax
& 2023 License Tax Collections**

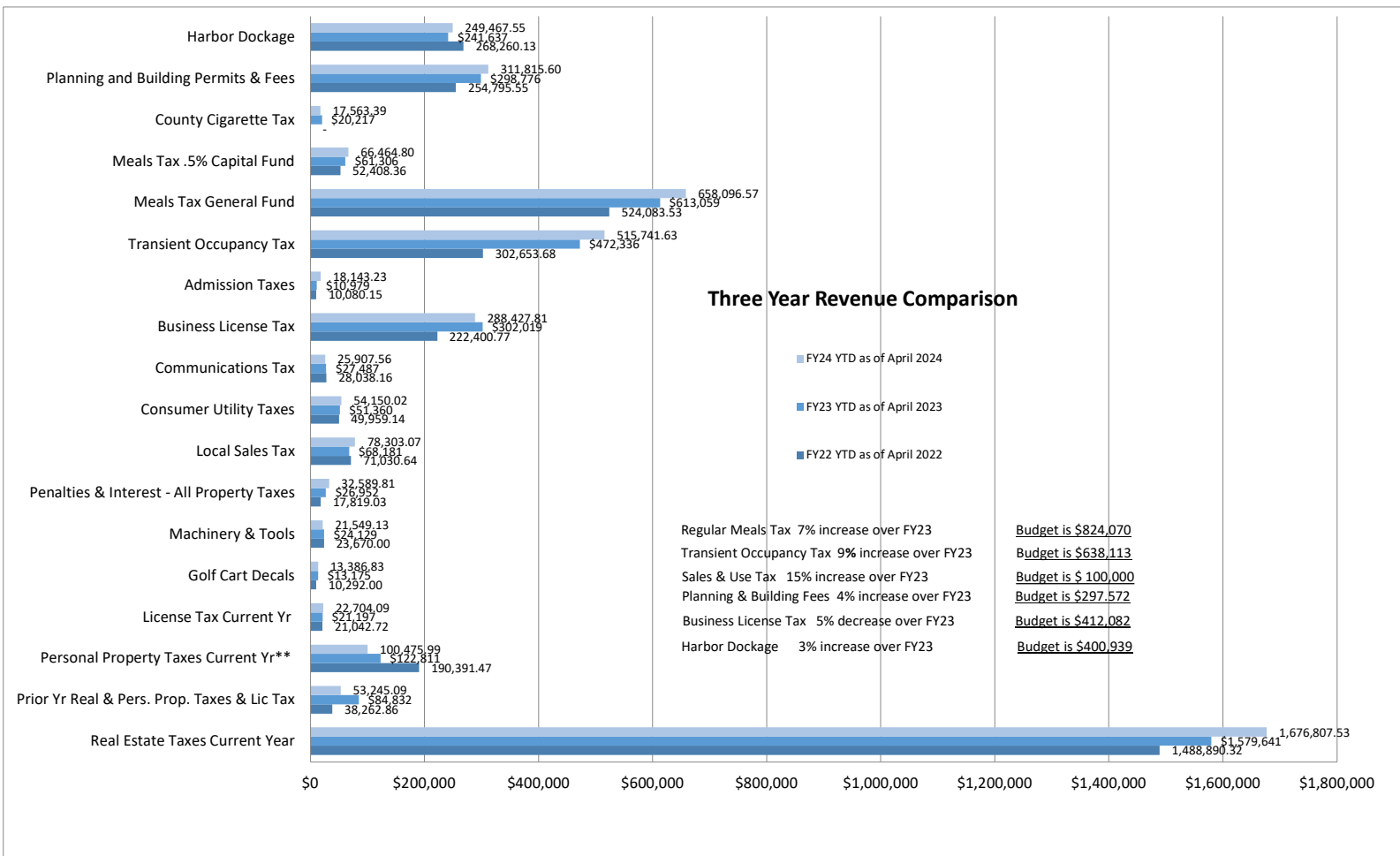
Total Personal Property Value	21,720,600	
2023 Reduction Due to Proration	(362,825)	
Personal Property Billable Valuation	21,357,775	
2023 PPTRA Valuation Amount	(9,687,117)	
 2022 Supplemental Assessments billed in July 23	 4,930,700	
2022 Supplemental PPTRA & Exonerations	(2,078,492)	
Personal Property Value Billed	2,852,208	
 2023 Supplemental Assessments	 -	Will bill in Spring '24
2023 Supplemental PPTRA & Exonerations	-	
Personal Property Value, billed	-	

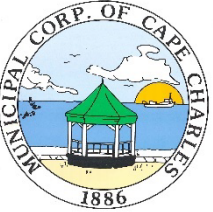
Total Taxable Assessment Value 2023 & 2022	24,209,983
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Total Personal Property & License Tax Budgeted	113,787	
Total 2023 Tax Billed less PPTRA	178,532	
2023 Supplemental Tax Billing	-	
Total Adjustments & Additional Exonerations	7,429	
Total Collected YTD (percent of billed)	<u>144,729</u>	78%
Amount Due per Accounts Receivable	26,374	

YTD Prior Year Real Estate Tax, Personal Property Tax, Interest and Penalty Collections

Total Budgeted	93,050	
Total Collected (percent of budget)	<u>85,835</u>	92%
Amount Due Per Budget	7,215	



 TOWN OF CAPE CHARLES	AGENDA TITLE: Fiscal Year 2025 Proposed Budget & Appropriation		AGENDA DATE: June 20, 2024
	SUBJECT/PROPOSAL/REQUEST: Approve the Proposed FY 2025 Budget & Appropriate Funds		ITEM NUMBER: 7A
	ATTACHMENTS: Ordinance 20240620A, Revenue & Expense Summary by Fund Report, Capital Projects Schedule by Fund Report, Building/Planning & Zoning fee schedule		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): John Hozey	REVIEWED BY: John Hozey, Town Manager	

BACKGROUND:

To improve transparency and accountability in the budget, three years ago the Town increased the number of accounting Funds from four to seven: the General Fund, the Harbor Fund, Sanitation Fund, Special Activities Fund, the Capital Projects Fund, the Debt Service Fund, and the Utility Fund. The Harbor, Sanitation, and Utility Funds are Enterprise Funds and should be self-sustaining through fees for services and other charges. All other Funds are supported by real estate taxes, other taxes, or other revenues.

DISCUSSION:

Pursuant to Section 15.2-2503 of the Code of Virginia, the town manager and staff held meetings to prepare the budget for Fiscal Year (FY) 2025. The Town Council held two budget work sessions on May 02, 2024 and May 16, 2024 to review and finalize the proposed FY 2025 budget.

Two notable changes to this year's budget include the consequence of the sale of the Town's water/sewer utilities in April 2024, and the subsequent payoff of the Town's bonded debt from those proceeds. Proceeds from the sale not needed to relieve debt were transferred to the Capital Projects Fund. This resulted in significant changes in the Utility Fund, the Debt Service Fund, and Capital Projects Fund.

Projected revenue sources for all Funds were determined to be more than adequate to meet the Town's current and strategic requirements.

Due to an increase in real property assessments by Northampton County, Cape Charles was required to equalize real property tax rates to allow for no more than 1% revenue increase from the previous year. The equalization included in this budget was based on a 0% increase over last year (excluding new construction). In addition to this equalization (equalized rate went from \$.2159 per \$100 to \$.1724 per \$100), the elimination of future debt service payments allowed a further reduction in the tax rates to \$.1481 per \$100.

An updated schedule of building/zoning fees (see attached) is included in this budget authorization.

All other proposed rates/fees remain unchanged from FY 2024.

The attached ordinance includes the summary of estimated revenues and expenditures by Fund for the proposed budget. The Public Hearing on the proposed FY 2025 budget was held on June 6, 2024, pursuant to Section 15.2-2506 of the Code of Virginia.

RECOMMENDATION:

Staff recommends adoption of Ordinance 20240620A – Approving the Budget for Fiscal Year 2025 and Making Appropriation for the Fiscal Year by roll call vote.

ORDINANCE 20240620A

APPROVING THE BUDGET FOR FISCAL YEAR (FY) 2024/2025 AND BUILDING, PLANNING AND ZONING FEE SCHEDULE, AND MAKING APPROPRIATIONS FOR THE FISCAL YEAR

WHEREAS, the Council of the Town of Cape Charles has prepared a budget for FY 2024/2025 pursuant to Section 15.2-2503 of the Code of Virginia; and

WHEREAS, the budget has been advertised and a public hearing was held on June 6, 2024 pursuant to Section 15.2-2506 of the Code of Virginia; and

THEREFORE, BE IT ORDAINED, by the Town Council of Cape Charles, this 20th day of June 2024 that the budget for FY 2024/2025 be approved as follows:

GENERAL FUND		PUBLIC UTILITY FUND	
Revenue	\$5,124,100.85	Revenue	\$9,576,513.71
Expenditures	\$5,124,100.85	Expenditures	\$9,576,513.71
GENERAL CAPITAL FUND		HARBOR FUND	
Revenue	\$10,790,805.67	Revenue	\$1,162,576.00
Expenditures	\$10,790,805.67	Expenditures	\$1,162,576.00
GENERAL DEBT SERVICE FUND		SANITATION FUND	
Revenue	\$25,121.00	Revenue	\$345,884.00
Expenditures	\$25,121.00	Expenditures	\$345,884.00
GENERAL SPECIAL ACTIVITIES FUND			
Revenue	\$25,500.00		
Expenditures	\$25,500.00	TOTAL TOWN BUDGET	\$27,050,501.23

The following tax rates and user fees are established:

- Vehicle Tax: \$31.00 per vehicle subject to Virginia State Registration (Trailers \$18.00) and Golf Cart Decal is \$31.00.
- Real Estate Tax: \$.1481 per \$100 of assessed value
- Personal Property Tax: \$1.00 per \$100; Boat Tax \$0.01 per \$100
- Transient Occupancy Tax: 4.0% plus flat fee of: \$1 per night per room (Hotels/B&Bs) or \$4 per night (Residential Units)
- Meals Tax: 5.5% Monthly
- Admissions Tax: 3% Quarterly
- Short Term Rental Tax: 1% Quarterly
- Trash Collection Fee: \$20.80 per month per receptacle; and

BE IT FURTHER ORDAINED, that pursuant to Section 15.2-2506 of the Code of Virginia, funds are appropriated from all sources of revenue for expenditures during the period July 1, 2024 through June 30, 2025 as follows:

General Fund:	\$5,124,100.85
General Capital Fund:	\$10,790,805.67
General Debt Service Fund:	\$25,121.00
General Special Activities Fund:	\$25,500.00
Public Utilities Fund:	\$9,576,513.71
Harbor Fund:	\$1,162,576.00
Sanitation Fund:	\$345,884.00

and that the Town Manager is authorized to transfer funding pursuant to the Cape Charles Budget Management Policy established by the Cape Charles Town Council by adoption of Ordinance 20240620A.

Adopted by the Town Council of Cape Charles on June 20, 2024.

By: _____
Mayor Adam Charney

ATTEST:

Town Clerk

TOWN OF CAPE CHARLES FISCAL YEAR 2025 PROPOSED BUDGET SUMMARY		Change Since 5/2 Work Session
General Fund		
Revenue	\$ 5,124,100.85	\$ (679,218.65)
Expenditures		
	Legislative \$ 58,019.26	\$ (1,447.74)
	Clerk \$ 108,512.54	\$ (23,554.69)
	Town Manager \$ 1,553,122.46	\$ (141,106.53)
	Finance \$ 551,713.65	\$ 5,925.59
	Police \$ 910,206.46	\$ 37,028.56
	Code Enfocment \$ 177,220.17	\$ 4,896.22
	Public Works \$ 1,053,181.80	\$ 241,167.99
	Library \$ 237,125.14	\$ 11,281.31
	Planning & Zoning \$ 378,336.64	\$ (22,675.41)
	Information Technology \$ 96,662.40	\$ 96,662.40
	Total Expenditures \$ 5,124,100.51	\$ 208,177.70
	Revenue Less Expenditures \$ -	\$ (887,396.69)
Capital Projects Fund		
Revenue	\$ 10,790,805.67	
Expenditures	\$ -	
	Revenue Less Expenditures \$ 10,790,805.67	
Debt Service Fund		
Revenue	\$ 25,121.00	\$ -
Expenditures	\$ 25,121.00	\$ -
	Revenue Less Expenditures \$ -	\$ -
Special Activities Fund		
Revenue	\$ 25,500.00	\$ -
Expenditures	\$ 25,500.00	\$ -
	Revenue Less Expenditures \$ -	\$ -
Utility Fund		
Revenue	\$ 9,576,513.71	\$ -
Expenditures	\$ 9,576,513.71	\$ -
	Revenue Less Expenditures \$ -	\$ -
Harbor Fund		\$ -
Revenue	\$ 1,162,576.00	\$ (105,783.00)
Expenditures	\$ 1,162,576.34	\$ (105,782.66)
	Revenue Less Expenditures \$ -	\$ -
Sanitation Fund		
Revenue	\$ 345,884.00	\$ -
Expenditures	\$ 345,884.00	\$ -
	Revenue Less Expenditures \$ -	\$ -

General Fund

CAMP Project List/Schedule

Project name	Priority	Category	Level	Town Cost	Prior Years	FY2025	FY2026	FY2027	FY2028	FY2029
New Municipal Building*	High	I	A	\$ 7,017,409	\$ 517,409	\$ 3,250,000	\$ 3,250,000			
Library Upgrade & Condoization	High	I	A	\$ 307,547	\$ 57,547	\$ 250,000				
Renovate PW Butler Building	Medium	I	A	\$ 225,000					\$ 225,000	
Visitor's Ctr/Restroom*	Medium	II	B	\$ 783,377	\$ 33,377	\$ 750,000				
Beachfront Revitalization	Medium	II	B	\$ 1,245,000		\$ 45,000	\$ 600,000	\$ 600,000		
Beach Restroom/Bathhouse	Medium	II	B	\$ 1,245,000		\$ 45,000	\$ 600,000	\$ 600,000		
Mason Ave Electrical Upgrade	Medium	III	B	\$ 40,000		\$ 40,000				
Sidewalk Infill	Low	IV	C	\$ 620,000		\$ 50,000		\$ 190,000	\$ 190,000	\$ 190,000
Sports/Rec Field/Restroom*	Low	IV	C	\$ 310,000				\$ 30,000	\$ 280,000	

GF Total - 2024 dollars	\$ 11,793,333	\$ 608,333	\$ 4,430,000	\$ 4,450,000	\$ 1,420,000	\$ 695,000	\$ 190,000
Inflation adjusted dollars (3%)	\$ 12,097,383	\$ 608,333	\$ 4,430,000	\$ 4,583,500	\$ 1,505,200	\$ 757,550	\$ 212,800
Harbor Fund	\$ 675,287	\$ 168,750	\$ 284,537	\$ 132,000	\$ 90,000	\$ -	\$ -
Grand Total - 2024 dollars	\$ 12,468,620	\$ 777,083	\$ 4,714,537	\$ 4,582,000	\$ 1,510,000	\$ 695,000	\$ 190,000
Inflation adjusted dollars (3%)	\$ 12,782,030	\$ 777,083	\$ 4,714,537	\$ 4,719,460	\$ 1,600,600	\$ 757,550	\$ 212,800

*Grants, divestitures, or new debt could reduce costs

CAMP Project List/Schedule

Harbor Fund

<u>Project name</u>	<u>Priority</u>	<u>Category</u>	<u>Level</u>	<u>Town Cost</u>	<u>Prior Years</u>	<u>FY2025</u>	<u>FY2026</u>	<u>FY2027</u>	<u>FY2028</u>	<u>FY2029</u>
Inner Harbor Fixed Dock Repair	High	II	A	\$ 20,000		\$ 20,000				
Inner Harbor King Pile and Waler Replacement - Phase 3*	Medium	II	B	\$ 390,287	\$ 168,750	\$ 221,537				
Outer Harbor Concrete Bulkhead Cap Repair & Concrete Boardwalk	Medium	II	B	\$ 223,000		\$ 43,000	\$ 90,000	\$ 90,000		
Ladder & Catwalk/ Manifold	Medium	II	B	\$ 42,000			\$ 42,000			

2024 dollars	\$ 675,287	\$ 168,750	\$ 284,537	\$ 132,000	\$ 90,000	\$ -	\$ -
Inflation adjusted dollars (3%)	\$ 684,647	\$ 168,750	\$ 284,537	\$ 135,960	\$ 95,400	\$ -	\$ -

*Town expenditure following grant award

TOWN OF CAPE CHARLES - Building, Planning & Zoning Fee Schedule EFFECTIVE FEBRUARY 1, 2024			PROPOSED CHANGES from Katie Nunez for FY2025 BUDGET ADOPTION	
	Type of Permit or Review	Charge or Fee	Type of Permit or Review	FEE
BUILDING	1. Residential: (repair, alteration, demolition, construction)			
	a. Single inspections w/ no permit required	\$35		
	b. Less than \$2,500	\$50		
	c. \$2,500 - \$10,000	\$50 + 0. 5% project cost over \$2500		
	d. \$10,000 +	\$125 + 0.5% project cost over \$10,000		
	e. Demolition	\$50		
	2. Commercial: (repair, alteration, demolition, construction)			
	a. Single inspections w/ no permit required	\$35		
	b. Less than \$2,500	\$75		
	c. \$2,500 - \$10,000	\$75 + 1% of project cost over \$2,500		
	d. \$10,000 +	\$175 + 1% of project cost over \$10,000		
	e. Demolition	\$100		
	3. New Construction: Per BOCA/ICC permit fee tables based on building square footage and at 100% departmental operational costs as determined by Council in 2001			
	Notes applicable to Items 1, 2 & 3 above 1. Add 2% to all permit fees for state surcharge. 2. Permits include initial/first inspection and a follow-up inspection for a failure inspection. 3. Add 10% to Base Fee for Fire Department (before tax and not to be taxed).			
	4. Certificates of Occupancy			
	a. Permanent Certificant of Occupancy	Included in cost of permit		
	b. Certificate of Occupancy when no permit is issued	\$100		
	c. Temporary Certificate of Occupancy	\$800 (per issuance) / Max. of 2 issuances		
	d. Rental Certificate of Occupancy	\$150 (includes inspection)		
	5. ADDITIONAL FEES			
	a. Inspection fee for 3rd inspection of the same item	\$40		
	b. Inspections scheduled outside normal business hours	\$75		
	c. Fee for starting work without a permit	\$300		
	d. Underground Fuel Tank Removal	\$100 per tank		

	Type of Permit or Review	Charge or Fee	Type of Permit or Review	FEE
ZONING	5. Zoning Clearance			
	a. As part of a building permit or a Certificate of Appropriateness application	\$0		
	b. All other approved by administrative review	\$150		
	c. Trees/Landscaping			
	1.) Tree Removal Permit	\$20/tree		
	2.) PENALTY - Tree removal without a permit	\$300/tree		
	d. Variance Application to Board of Zoning Appeals	\$500**		
	e. Signage			
	1) All affixed and free-standing signage greater than ten (10) sq. ft	\$100		
HISTORIC DISTRICT REVIEW BOARD	No permit required for smaller signage or residential signage			
	6. Historic District Review Board Application Fee			
	a. New Construction - Residential	\$500		
	b. New Construction: Commercial or Commercial/Residential Mixed Use	\$1,000		
	c. Renovation			
	1) Minor Work authorized by CCZO Section 8.17, residential and/or commercial - Administrative Review and Approval only	\$50	1) Minor Work authorized by CCZO Section 8.16 (C) (1) (a) and (b) and Section 8.17, residential and/or commercial - Administrative Review and Approval only	\$75
	2) Minor Work: Fences & Accessory Structures (not visible from any street & under 256 sq. ft.) - Administrative Review and Approval Only	\$200		
	3) Substantial alterations - Residential	\$500	2) Substantial Alterations (Exterior Renovations) - Residential excluding everything under #1 above and less than \$5,000 of construction value	\$150
			3) Substantial Alterations (Exterior Renovations) - Residential excluding everything under # 1 above and greater than \$5,000 of construction value	\$500
	4) Substantial alterations - Commercial	\$1,000		
	5) Demolition of structure	\$400		
	d. Extension of approved Certificate of Appropriateness (CoA)	\$50		
	e. Modification to an approved and active Certificate of Appropriateness (CoA)	\$200		
	f. Working without an approved and active Certificate of Appropriateness (CoA) or After the Fact Permit Fee	\$1,000		

	Type of Permit or Review	Charge or Fee	Type of Permit or Review	FEE
APPEALS	7. APPEALS			
	a. Appeals Application to Board of Zoning Appeals	\$500**		
	b. Certificate of Appropriateness Appeals to Town Council	\$500**		
	c. Appeals Application to Building Code Board of Appeals	\$250**		
HARBOR AREA REVIEW BOARD	8. Harbor Area Review Board Certificate of Approrpriateness			
	a. Development Certificate	\$750/application base fee + \$100 per acre**		
	b. Extension of approval	\$100		
	c. Modification to an approved and active Certificate of Appropriateness (CoA)	\$250		
ENVIRONMENTAL PERMITS	9. Environmental Permits			
	a. Wetlands Permit	\$500**		
	b. Structures in & across dunes	\$200		
	c. CBPA Encroachment or Exemption	\$200		
	d. CBPA Administrative Waiver for Maintenance Work of Vegetation in the RPA	\$50		
	e. Erosion & Sediment Control Permit	\$500 + \$10/acre not to exceed \$1000		
	f. Erosion & Sediment Agreement in lieu of plan	\$150		
	g. Erosion & Sediment Inspection fees	\$40/hr with 1 hour minimum		
	h. Erosion & Sediment Control Plan Review Fee	\$350		
SITE PLAN	i. Working without an approved and active Permit or After the Fact Permit Fee	\$1,000		
	10. Final Plan Review Fees			
	a. Residential	\$150/site		
	b. Commercial	\$250/site #^		
PLANNING	c. Misc	\$150/site #^		
	11. Planning Applications			
	a. Regular Rezoning			
	1) Non-PUD	\$500 + \$50/acre**		
	2) PUD	\$1,000 + \$50/acre**		
	a. Amendment to Comprehensive Plan; Concept Approvals	\$550/application		
	b. Conditional Rezoning	\$1,000 + \$50/acre**		
	c. Zoning Text Amendment Petition Application - for consideration only by Town Council and/or Planning Commission	\$200/application		
	d. Conditional Use Permit	\$600		

	Type of Permit or Review	Charge or Fee	Type of Permit or Review	FEE
SUBDIVISION	12. Subdivision through recordation			
	1) Concept or sketch plan review	\$100 + \$10/parcel		
	2) Preliminary plat review			
	a) 3 lots or less	\$250 + \$50/lot #^		
	b) 4 lots or more	\$500 + \$100/lot #^		
	3) Final plat review			
	a) 3 lots or less	\$125		
	b) 4 lots or more	\$250		
	4) Subdivision modification	\$75		
	5) Administrative Plat/Lot line adjustment	\$200		
	6) Easement Plat	\$200		
	7) Vacation of Plat	\$250		
	All recordation of plats are the responsibility of the applicant			
OTHER	13. Deferral at the request of Applicant, if public hearing has been set (BZA, Planning Commission, HDRB, HARB, Town Council)	\$200		
NONPROFIT	Building, Planning & Zoning	Waiver of fees up to the amount of \$750 per project application for any nonprofit organization exempt from taxation under Internal Revenue Code Section 501		
LEGEND with GENERAL NOTES				
*	Advertising Costs, Actual			
**	Advertising Costs, Actual + Adjacent Property Owner Notification Mailing Costs, Actual			
#	3rd Party Review Costs - Water and Sewer Connections and Layout, including any re-reviews			
^	3rd Party Review Costs - Erosion & Sediment Control, including any re-reviews			

WHAT CONSTITUTES MINOR WORK in the HISTORIC DISTRICT?

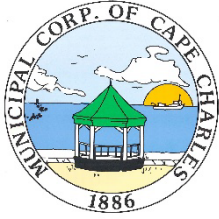
Section 8.16 C. 1. General examples of "non-substantial" alterations:

- a. Work done to prevent deterioration or to replace parts of a structure with similar materials in order to correct any deterioration, decay of, or damage to any structure or on any part thereof, or
- b. To restore same as nearly as practical to its condition prior to such deterioration, decay, or damage.

Section 8.17 Certain Minor Actions Exempted from Review by the Historic District Review Board

Within the Historic District certain minor actions which are deemed not to have permanent effects upon the character of the historic district are exempted from review for architectural compatibility by the Historic District Review Board. Such actions shall include the following and any similar actions which in the opinion of the Zoning Administrator will have no more effect on the character of the district than those listed:

- A. Repainting the structure. (Original painting of masonry surfaces is not exempted from review.)
- B. Replacement of missing or broken windowpanes, roofing slates, tiles, porch floor, posts, rails, shingles, window frames, or shutters where no substantial change in design or material is proposed.
- C. Addition or deletion of storm doors or storm windows, window gardens, or similar appurtenances and portable air conditioners located in existing windows, doors, or other existing wall openings (if no building permit is required for such addition or deletion).
- D. Addition or deletion of television and radio antennas or skylights and solar collectors in locations not visible from a public street or a waterway.
- E. Landscaping involving minor grading, walks, low retaining walls, temporary fencing, fencing immediately surrounding trash receptacles or outdoor ventilation units, small fountains, outdoor showers, and ponds which will not substantially affect the character of the property and its surroundings.
- F. Construction of off-street loading areas and off-street parking areas.
- G. Creation of outside storage in a commercial or industrial district which does not require structural changes or major grading and is not visible from a public street or waterway.
- H. Additions or deletions to an existing building which are not visible from a public street or sidewalk. Alleys in this context are not to be considered public places.
- I. Covered by other zoning ordinance requirements as administrated by the Zoning Administrator unless altered by the overlay ordinance.
- J. Receiving historic preservation tax credits through state or federal offices.
- K. Demolition of non-contributing buildings or structures.
- L. Alterations or repairs made to a building or structure for the purpose of temporary emergency stabilization.

 TOWN OF CAPE CHARLES	AGENDA TITLE: Regulation of Motorized Conveyances on Sidewalks		AGENDA DATE: June 20, 2024
	SUBJECT/PROPOSAL/REQUEST: Consider an ordinance prohibiting motorized conveyances from certain sidewalks.		ITEM NUMBER: 7B
	ATTACHMENTS: 1. Town Code Sec. 28-7 2. Proposed Ordinance #20240620B		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Bob Panek, Project Manager	REVIEWED BY: John Hozey, Town Manager	

BACKGROUND:

We have received complaints about the use of motorized conveyances, such as skateboards and scooters, on sometimes congested sidewalks, such as Mason Avenue, Strawberry Street Plaza, Central Park and the Bay Avenue boardwalk.

Council adopted an ordinance on February 17, 2022 prohibiting the operation of bicycles, motorized skateboards and similar devices in the central business district on the north and south sides of Mason Avenue and on Strawberry Street Plaza. These provisions have been codified in Section 28-7 of the Town Code, attached for reference.

The prohibition becomes effective only upon posting signage as required by Code of Virginia Section 46.2-904. Any signage in the public right-of-way must be compliant with the Manual for Uniform Traffic Control Devices (MUTCD). Also, it must be installed per a detailed plan approved under a VDOT Land Use Permit (LUP). The signs and break-away poles were procured and the LUP was obtained. The signs were not installed at that time, and are currently in storage at the Public Works yard. The LUP has expired.

DISCUSSION:

Public Works is now prepared to renew the LUP and install the signs on Mason Avenue and Strawberry Street Plaza.

Central Park is owned by the Town and not in the VDOT right-of-way. The shared use path in the park was the first segment of the Community Trail. It was built with Federal Transportation Alternatives Program grant funds made available for non-motor vehicle uses. Consequently, signs have been posted prohibiting motor vehicles, including golf carts. That is reflected in subsection (a) of Section 28-7. However, motorized skateboards and similar devices are not classified as motor vehicles under the Code of Virginia. If Council wishes to prohibit such motorized devices in Central Park in a legally enforceable fashion, they must adopt an ordinance amending the Town Code per the Code of Virginia cited above. Presumably, Council would not want to prohibit **non-motorized** conveyances, such as bicycles, so the ordinance would need to be appropriately tailored. Signs could then be installed at the four entrances to the park. No LUP would be required as the park is not in the VDOT right-of-way.

The Bay Avenue boardwalk is in the VDOT right-of-way. It is also designated as part of the Community Trail. A similar approach prohibiting motorized devices but continuing to allow bicycles and other non-motorized devices could be taken here. However, a VDOT LUP would be required.

MUTCD compliant signage would be required in both locations.

The proposed ordinance is at attachment 1, prohibiting all motorized conveyances enumerated in Section 46.2-904 of the Code of Virginia, except for electric personal assistive mobility devices, on the Central Park shared use path and the Bay Avenue boardwalk.

RECOMENDATION:

Consider the proposed prohibition. If acceptable, staff recommends a roll call vote to adopt Ordinance 20240620B.

Sec. 28-7. Operation of vehicles on sidewalks, shared-use paths, etc.

- (a) No motor vehicle shall be operated on the sidewalks, shared-use pedestrian paths, boardwalk or public pier of the town, unless directed by the police department or unless a motor vehicle is passing over a sidewalk to access a driveway. Parked motor vehicles are prohibited from obstructing the sidewalks. For the purpose of this subsection, the term "motor vehicle" means passenger cars, trucks of all kinds, motorcycles, mopeds, and golf carts.
- (b) Operation of roller skates, skateboards, personal delivery devices, bicycles, electric personal assistive mobility devices, motorized skateboards or scooters, motor-driven cycles, or electric power-assisted bicycles is allowed unless specifically prohibited by official signage.
- (c) Operation of wheelchairs or wheelchair conveyances, including those self-propelled, for use by mobility-impaired persons is allowed.
- (d) Operation of roller skates, skateboards, personal delivery devices, bicycles, motorized skateboards or scooters, motor-driven cycles, or electric power-assisted bicycles is prohibited in the following areas:
 - (1) Sidewalks between Peach Street and Harbor Avenue on the north side of Mason Avenue.
 - (2) Sidewalks between Peach Street and Pine Street on the south side of Mason Avenue.
 - (3) Strawberry Street Plaza on the south side of Mason Avenue.

Violation of this section shall be subject to a civil penalty of \$50.00.

(Code 2002, § 42-7; Ord. of 12-12-1995; Ord. No. 2008-06-12A, 6-12-2008; Ord. No. 20210218 , 2-18-2021; Ord. No. 20220217 , 2-17-2022)

ORDINANCE 20240620B

**PROHIBITING OPERATION OF CERTAIN MOTORIZED
CONVEYANCES ON DESIGNATED SIDEWALKS**

WHEREAS, the Code of Virginia, Section 46.2-904 authorizes the governing body of a town to prohibit by ordinance the use of roller skates, skateboards, personal delivery devices, bicycles, electric personal assistive mobility devices, motorized skateboards or scooters, motor-driven cycles or electric power-assisted bicycles on designated sidewalks or crosswalks, including those of any church, school, recreational facility, or any business property open to the public where such activity is prohibited; and

WHEREAS, the Town Council finds that prohibition of such motorized conveyances, except for electric personal assistive mobility devices, is desirable in Central Park and along the Bay Avenue boardwalk to promote the safety of pedestrians;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Cape Charles, this 20th day of June 2024, that Cape Charles Town Code, Section 28-7 be revised as follows:

Sec. 28-7. (e) Operation of motorized skateboards or scooters, motor-driven cycles, or electric power-assisted bicycles is prohibited in the following areas:

1. Shared use path in Central Park.
2. Sidewalk on the west side of Bay Avenue (boardwalk).

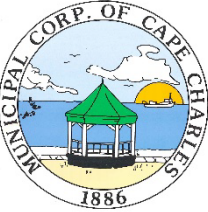
This section to become effective upon installation of official traffic control devices.

Adopted by the Town Council of Cape Charles on June 20, 2024.

By: _____
Mayor

ATTEST:

Town Clerk

 TOWN OF CAPE CHARLES	AGENDA TITLE: Town Code Chapter 28 – Adoption of State Law		AGENDA DATE: June 20, 2024
	SUBJECT/PROPOSAL/REQUEST: Adopt Ordinance 20240620C To Incorporate Amendments to the Code of Virginia §46.2; and to Title 16.1, Chapter 11, Article 9 (§16.1-278 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 28-Traffic and Vehicles		ITEM NUMBER: 7C
	ATTACHMENTS: Ordinance 20240620C		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Libby Hume, Town Clerk	REVIEWED BY: John Hozey, Town Manager	

BACKGROUND:

Each year a new ordinance must be passed accepting any and all amendments to the provisions and requirements set by the Code of Virginia 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 Code of Virginia is amended to either delete or add new safety tactics to protect those traveling on 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:

Staff requests adoption of Ordinance 20240620C To Adopt Amendments to the Code of Virginia §46.2; and Title 16.1, Chapter 11, Article 9 (§16.1-278 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 28-Traffic and Vehicles by roll call vote.

ORDINANCE NO: 20240620C

**TO ADOPT AMENDMENTS TO THE CODE OF VIRGINIA §46.2; AND
TITLE 16.1, CHAPTER 11, ARTICLE 9 (§16.1-278 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 28-TRAFFIC AND VEHICLES**

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; and

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

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; now

THEREFORE, BE IT ORDAINED: That pursuant to the authority of the Code of Virginia, 1950, as amended, § 46.2-1313, all of the provisions and requirements of the laws of the Commonwealth contained in Code of Virginia, Title 46.2 and Code of Virginia, Article 9 (§ 16.1-278 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. This ordinance will take effect July 1, 2024.

Adopted by the Town Council of Cape Charles on June 20, 2024.

Mayor Adam Charney

ATTEST:

Town Clerk

 TOWN OF CAPE CHARLES	AGENDA TITLE: Appointment to the Building Code Board of Appeals		AGENDA DATE: June 20 2024
	SUBJECT/PROPOSAL/REQUEST: Appoint a new member to the Building Code Board of Appeals		ITEM NUMBER: 7D
	ATTACHMENTS: None		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Libby Hume	REVIEWED BY: John Hozey, Town Manager	

BACKGROUND:

The Building Code Board of Appeals hears appeals concerning the Uniform Statewide Building Code. The board consists of five members each service five-year terms.

DISCUSSION:

Currently, there are three vacant positions on the Building Code Board of Appeals which have been advertised in the Cape Charles Gazette and on Facebook, and one application has been received. The Town Council held an executive session on June 6, 2024 to interview to fill a vacancy on the Planning Commission.

Discussion followed regarding other vacancies on the Town's Boards. It was noted that Mr. Edward Wells had submitted an application expressing his interest in serving on the Building Code Board of Appeals. Mr. Wells had previously served the Town as a member of the Historic District Review Board, so the Council reached a consensus that an additional interview was unnecessary. The Council requested that Mr. Wells be contacted and if he was still agreeable to serving on the Building Code Board of Appeals, an official appointment could be made during the June regular meeting.

Mr. Wells expressed his agreement to serve on this board.

RECOMMENDATION:

Staff recommends that Council officially appoint Mr. Edward Wells to the Building Code Board of Appeals to complete a term which expires on September 10, 2028.