



TOWN COUNCIL

FY 2022 Budget Public Hearing, Regular Meeting, Executive Session & Council Emergency Preparedness Training Session

June 17, 2021

Cape Charles Civic Center

6:30 PM

1. Call to Order
 - A. Roll Call
 - B. Establish quorum
2. Moment of Silence and Pledge of Allegiance
3. Public Hearing
 - A. [Reading of Advertisement](#)
 - B. Fiscal Year 2022 Proposed Budget, Tax and Utility Rates
 - C. Close Public Hearing
4. Recognition of Visitors / Presentations / Recognitions
 - A. None
5. Public Comments (3 minutes per speaker)
6. *Consent Agenda
 - A. Approval of Agenda Format
 - B. [Approval of Minutes](#)
 - C. [Approval of April 30, 2021 Financial Report](#)
7. Unfinished Business:
 - *A. [Cape Charles Zoning Ordinance Amendments](#)
 - i. Article II – Definitions
 - ii. Article VIII – Historic District Overlay
8. New Business:
 - *A. [Code 42-3 – Adoption of State Law](#)
 - *B. [Amendments to Electronic Participation in Town Council Meetings Policy](#)
 - *C. [July Regular Meeting Date Change](#)
 - *D. [Department of Wildlife Resources Boat Landing Cooperative Agreement](#)
9. Town Manager Comments
10. Mayor & Council Comments (5 minutes per speaker)
11. Announcements
 - June 18, 2021 – Town Offices Closed in Observance of Juneteenth
 - June 24, 2021 – Town Council Special Meeting
 - July 1, 2021 – Town Council Special Meeting (*if needed*)
 - July 4, 2021 – 4th of July Festivities – Parade, Street Fair, Fireworks
 - July 5, 2021 – Town Offices Closed in Observance of Independence Day
 - July 13, 2021 – Joint Public Hearing with Planning Commission
 - July 15, 2021 – Town Council Regular Meeting (*requested change to July 22 – Item 8C above*)
12. Motion to go into Closed Session

Code of Virginia § 2.2-3711-A, Paragraph 1: Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specified public officers, appointees, or employees of any public body.

Specifically: Review Performance of Historic District Review Board
13. Members of the Public Requested to Leave the Room
14. Return to Open Session and Invite Members of the Public Back into the Room

Certification 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.
15. Adjournment of Public Hearing, Regular Meeting and Executive Session, and move to Council Training Session
16. Adjournment of Council Training Session

NOTICE OF PUBLIC HEARING
MUNICIPAL CORPORATION OF CAPE CHARLES
FISCAL YEAR 2022 PROPOSED BUDGET WITH REAL PROPERTY TAX AND UTILITY RATE INCREASES

Following are the estimated receipts and expenditures of the Municipal Corporation of Cape Charles for the Fiscal Year 2022. The Town Council will hold a Public Hearing on June 17 at 6:30 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/rate increases. 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 2022 budget and all tax/rate increases will be discussed and brought to a vote at a special meeting on June 24, 2021. For additional detail and explanation please visit the Town website at www.capecharles.org, under Agendas and Minutes / Town Council.

REVENUES	2021-2022	EXPENDITURES	2021-2022
General Operating Fund		General OperatingFund	
Real Estate Taxes	1,501,943	Legislative	43,612
Personal Property Tax	153,000	Town Clerk	96,156
Prior Year Tax Collections	87,050	Town Manager	452,836
Motor Vehicle License Tax	21,000	Finance	379,949
Machinery & Tools Tax	6,000	Police	580,852
BPOL Tax	200,000	Code Enforcement	144,843
Admissions, Short-term Rental, Transient Occupancy Taxes	308,876	Public Works	541,166
Meals Tax	550,000	Parks & Recreation	109,875
Other Taxes	99,511	Library	169,224
Building Permits, Code Enforcement & Planning Fees	145,300	Town Planner	270,325
Recovered Costs & Miscellaneous Income	89,650	Contingency Fund-General	50,000
Library Revenues	1,000	Cape Charles Main Street	80,000
Financing Proceeds	52,650	Fire Department	25,000
Grants and Local/State/Federal Aid	201,417	Funds transferred to Capital Fund	334,055
Appropriate from Fund Balance	0	Funds transferred to Debt Service Fund	258,614
Reappropriated for Carry-over Projects	119,110		
Total General Fund	3,536,507	Total General Fund	3,536,507
General Capital Fund		General Capital Fund	
Transfer from General Fund Revenue	334,055	Buildings and Improvements	130,000
Transfer from Sanitation Fund Balance	160,224	Infrastructure - Open Space & Parking	107,840
Grant Revenue	703,483	Streets and Walkways	929,922
Financing Proceeds	0	Stormwater System	30,000
General Capital Fund	1,197,762	General Capital Fund	1,197,762
General Debt Service Fund		General Debt Service Fund	
Transfer from General Fund Revenue	258,614	General Fund Debt Service	155,958
		Transfer to Harbor Fund for Debt Service	102,657
General Debt Service Fund	258,614	General Debt Service Fund	258,614
General Special Activities Fund		General Special Activities Fund	
DHCD Small Business Recovery Grant	300,000	DHCD Small Business Recovery Grant Payments	300,000
ARPA Grant First Tranche Estimate	528,615	ARPA Grant First Tranche Estimate	528,615
Pass Through Grants	17,500	Pass Through Grant Payments	17,500
Other Grants or Activity Funding	100,000	Other Activities	100,000
General Special Activities Fund	946,115	General Special Activities Fund	946,115
Water/Wastewater Fund		Water/Wastewater Fund	
Operating Revenue	1,724,521	Water Operations	486,178
Penalties and Late Fees	3,500	Wastewater Operations	682,077
Grant Revenue	36,000	Meter & Utility Billing, Administration	84,156
Connection Fees	42,000	Debt Service	463,959
Financing Proceeds	68,751	Capital Projects	213,402
Facility Fees	254,400	Facility Fees moved to Reserve	254,400
Reappropriated from FY2021 Budget	55,000		
Total Water/Wastewater Fund	2,184,172	Total Water/Wastewater Fund	2,184,172
Harbor Fund		Harbor Fund	
Operating Revenue	832,500	Operating	518,894
Financing Proceeds	0	Management Fees	253,606
Grant Revenue	1,000	Capital Projects	61,000
Transfer from General Debt Service Fund	102,657	Debt Service	102,657
Total Harbor Fund	936,157	Total Harbor Fund	936,157
Sanitation Fund		Sanitation Fund	
Revenue from Operations	230,371	Operational Expenditures	230,371
Appropriate from Fund Balance	160,224	Transfer Sanitation Fund Balance to Capital Fund	160,224
Sanitation Fund	390,595	Sanitation Fund	390,595
TOTAL REVENUES ALL FUNDS	9,449,922	TOTAL EXPENDITURES ALL FUNDS	9,449,922

Following are the proposed tax rates and user fees which are part of the fiscal plan:

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

Real EstateTax: \$.3143 per \$100; Personal Property Tax \$2.00 per \$100; Boat Tax \$0.01 per \$100

Transient Occupancy Tax: 3.7%, monthly July 2021-December 2021

After Jan 1, 2022: 4.0% plus flat fee of: \$1 per night (Hotels/B&Bs) or \$4 per night (Residential Units)

Meals Tax: 5.5% Monthly; Admissions Tax: 3% Quarterly; Short Term Rental Tax: 1% Quarterly

Water Rate: Residential 0-2,000 gal.: **\$33.46 minimum;** 2,001 to 5,000 gal.: \$2.63 per 1,000; 5,001 to 10,000: \$3.75 per 1,000; 10,001 to 15,000 gals: \$5.00 per 1,000; Over 15,000 gals: \$7.50 per 1,000; Commercial 0-2,000 gal: **\$33.46 minimum;** 2,001-10,000 gal: \$2.50 per 1,000; 10,001-15,000 gals: \$3.75 per 1,000; Over 15,000 gals: \$5.00 per 1,000

Wastewater Rate: Residential 0-2,000 gal.: **\$63.12 minimum;** 2,001 to 5,000 gal.: \$4.11 per 1,000; 5,001 to 10,000 gals: \$5.85 per 1,000; 10,001 to 15,000: \$7.80 per 1,000; Over 15,000 gals: \$11.70 per 1,000; Commercial 0-2000 gal: **\$63.12 minimum;** 2,001-10,000 gals: \$3.90 per 1,000; 10,001-15,000 gals: \$5.85 per 1,000; Over 15,000 gals: \$7.80 per 1,000

Trash Collection Fee: \$16.68 per month

William "Smitty" Dize, Mayor

Town of Cape Charles
FY 2022 BUDGET PREPARATION WORKSHEET
DRAFT 4 for Public Hearing

Detail by Fund and Department	2019/2020	2019/2020	2020/2021	2020/2021	2021/2022	AS OF 5/26/21	2021/2022
	Approved Budget	Full Year Actuals	Annual Current Budget	04/13/2021 YTD Actuals	Initial Budget Request		
100. GENERAL OPERATIONS FUND							
100. GENERAL FUND OPERATIONS REVENUE							
100-3010-2015. Real Property Tax 2015	15,000	8,625	4,463	248	2,000.00		
100-3010-2016. Real Property Tax 2016	12,000	5,612	1,897	471	800.00		
100-3010-2017. Real Property Tax 2017	6,000	3,657	2,000	1,007	1,000.00		
100-3010-2018. Real Property Tax 2018	30,000	24,403	6,000	6,129	5,000.00		
100-3010-2019. Real Property Tax 2019	1,155,000	1,202,190	15,000	17,842	7,500.00		
100-3010-2020. Real Property Tax 2020	0	0	1,223,505	1,259,879	15,000.00		
100-3010-2021. Real Property Tax 2021	0	0	0	0	1,501,943.41	Increase tax rate to .3143/100 assessed value to balance budget from .2731. Increase of .0412/\$100 of assessed value	
3010	1,234,000	1,251,842	1,256,819	1,285,577	1,535,243.41		
100-3020-2016. Personal Property Tax 2016	5,000	2,347	500	702	1,000.00		
100-3020-2017. Personal Property Tax 2017	8,000	2,630	4,000	1,167	1,500.00		
100-3020-2018. Personal Property Tax 2018	11,500	12,108	6,000	2,013	4,500.00		
100-3020-2019. Personal Property Tax 2019	130,000	164,146	20,000	22,985	8,000.00		
100-3020-2020. Personal Property Tax 2020	0	0	140,000	150,093	10,000.00		
100-3020-2021. Personal Property Tax 2021	0	0	0	0	153,000.00	Little growth in PP taxes - impact of fewer full time residents, although the assessed values per vehicle will be higher than normal for the 2021 billing cycle.	
3020	177,500	183,087	170,550	177,009	178,000.00		
100-3025-1000. License Tax Prior Years <=2016	7,000	579	124	372	0.00		
100-3025-2017. License Tax 2017	4,000	837	600	496	0.00		
100-3025-2018. License Tax 2018	4,000	3,686	1,000	732	750.00		
100-3025-2019. License Tax 2019	25,000	23,284	4,000	5,670	1,000.00		
100-3025-2020. License Tax 2020	0	0	22,000	22,780	2,000.00		
100-3025-2021. Llicense Tax 2021	0	0	0	0	21,000.00	Reduce to 21,000 per trend	
3025	40,000	28,387	27,724	30,049	24,750.00		
100-3035-2020. Machinery & Tools Tax 2020	0	0	4,114	4,110	0.00		
100-3035-2021. Machinery & Tools Tax 2021	0	0	0	0	6,000.00	Growth at Concrete Plant	
3035	18,000	15,432	4,114	4,110	6,000.00		
100-3040-1000. Penalties All Property Tax	13,000	27,018	30,000	23,540	25,000.00		
3040	13,000	27,018	30,000	23,540	25,000.00		

Town of Cape Charles
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DRAFT 4 for Public Hearing

Detail by Fund and Department	AS OF 5/26/21					2021/2022 Initial Budget Request Notes
	2019/2020 Approved Budget	2019/2020 Full Year Actuals	2020/2021 Annual Current Budget	2020/2021 04/13/2021 YTD Actuals	2021/2022 Initial Budget Request	
100-3050-1000. Golf Cart Decals	9,000	9,207	8,500	7,001	10,000.00	
100-3050-1100. Consumer Utility Taxes - Elec & Gas	55,000	54,004	54,000	47,663	54,500.00	
100-3050-1200. Communications Tax - Phone	38,000	39,073	37,500	27,041	35,000.00	
100-3050-1300. BPOL - ALL	150,000	128,128	120,000	153,465	200,000.00	
100-3050-1400. Admission Taxes	21,000	13,166	17,000	6,755	11,000.00	Primarily golf
100-3050-1500. Transient Occupancy Tax	150,600	155,720	178,000	186,479	285,876.00	Increase to 4% plus \$1/night hotels & B&B's and \$4/night vac homes on Jan 1, 2022
100-3050-1600. Meals Tax 5% Operations	565,000	426,571	494,000	378,476	500,000.00	5% Meals tax for general operations
100-3050-1600. Meals Tax .5% Capital Fund	0	0	0	0	50,000.00	.5% Meals tax, new, dedicated to capital projects
100-3050-1700. Short Term Rental Tax	6,250	9,681	7,500	10,530	12,000.00	
100-3050-1800. Rolling Stock Taxes	0	11	2	2	11.00	
3050	994,850	835,562	916,502	817,411	1,158,387.00	
100-3075-1000. Penalties & Int Misc Taxes & Licenses	1,500	417	600	456	600	
3075	1,500	417	600	456	600	
100-3100-1000. Harbor Development Certificate	3,000	300	1,500	0	1,500	
100-3100-1050. Land Use/Conditional Use Application	3,500	4,000	3,500	0	3,500	
100-3100-1060. Zoning Variance Advt & Mailing Fee	2,500	0	2,500	0	2,000	
100-3100-1070. Miscellaneous Planning/Zoning Fees	400	4,860	2,100	6,700	5,000	
100-3100-1100. Historic Review Fees	8,000	7,600	8,000	1,550	6,000	
100-3100-1110. Building Permits	63,000	82,191	63,000	72,380	75,000	
100-3100-1150. Planning & Review Fees	2,500	5,400	2,500	4,700	4,500	
100-3100-1160. Electrical Permits	3,500	7,821	4,500	7,466	7,000	
100-3100-1200. Plumbing Permits	3,500	8,234	4,500	4,440	4,500	
100-3100-1250. Mechanical Permits	3,500	7,951	4,500	4,969	4,500	
100-3100-1260. Elevator Permits	300	868	550	554	500	
100-3100-1300. UST/AST Permit	350	250	350	400	400	
100-3100-1350. Occupancy Permits, Temporary	400	800	800	1,200	1,000	
100-3100-1360. Permit After Fact Admin Fee	300	1,850	1,000	300	1,000	
100-3100-1400. Building Plan Review Fees	2,000	4,513	2,500	6,300	4,500	
100-3100-1410. Shallow Well Permits	300	600	500	600	800	
100-3100-1460. Erosion & Sediment Control Permit	1,000	4,350	1,000	3,860	3,000	
100-3100-1470. Erosion & Sediment Plan Review Fee	360	720	360	300	300	
100-3100-1500. Demolition Permit	100	100	100	0	100	
100-3100-1510. Gas Permit	750	1,811	1,000	1,409	1,000	

Town of Cape Charles
FY 2022 BUDGET PREPARATION WORKSHEET
DRAFT 4 for Public Hearing

						AS OF 5/26/21	
Detail by Fund and Department	2019/2020 Approved Budget	2019/2020 Full Year Actuals	2020/2021 Annual Current Budget	2020/2021 04/13/2021 YTD Actuals	2021/2022 Initial Budget Request		2021/2022 Initial Budget Request Notes
100-3100-1550. Miscellaneous Plan/Review Fees	700	3,440	10,500	18,480	12,000		
100-3100-1560. Fire Permit	500	817	500	779	700		
100-3100-1570. Sign Permit	0	150	50	150	0		
100-3100-1600. Rental Inspections	5,000	8,050	5,000	6,400	6,500		
	3100	105,460	156,675	142,937	145,300		
100-3200-1600. Court Fines and Forfeitures	10,000	7,789	10,000	34,989	40,000		
100-3200-1650. Code Enf Misc, Admin Fees/Fines Collected	300	5,365	300	2,405	350		
100-3200-1660. Traffic & Parking Fines	500	720	500	540	700		
100-3200-1700. E-Summons \$5 Fee-Future Software Purchase	1,000	517	1,000	3,811	4,500		Not available for spending - reserved for future software purchase
	3200	11,800	14,401	41,756	45,550		
100-3300-1700. Interest on Bank Deposits	13,000	21,019	20,000	3,142	4,000		Snap account with old Bond Proceeds in FY2020 had higher interest. Rates currently low
100-3300-1750. Dividends & Interest on Investments	7,000	5,505	6,000	419	7,500		Will focus on finding better performing investments in FY22
	3300	20,000	26,524	3,561	11,500		
100-3400-1750. Rental of Parks/Rec Property & Facility	0	225	75	100	250		
100-3400-1800. Lease Revenue - Town Property Shanty 1%	26,000	19,899	24,000	20,372	24,000		
100-3400-1810. Lease Revenue - Town Property, Water Tower	2,400	0	2,400	3,000	2,400		
	3400	28,400	20,124	26,475	26,650		
100-3500-1850. Library Service & Misc Fees	1,800	589	1,000	0	1,000		
100-3500-1900. Recreation & Event Fees Collected	1,400	0	800	350	800		
100-3500-1950. FOIA Service Fees	0	145	31	86	100		
100-3500-1970. DMV Stop Fee Collected	1,000	1,200	1,000	900	1,000		
	3500	75,700	89,187	1,341	2,900		
100-3600-6000. Appropriation From Fund Balance	151,010	0	184,498	0	0		FY21 \$6834 for harbor shortfall& \$177,664 GF shortfall \$40K moved out to capital fund for town match for trail project.)
100-3600-6001. Reappropriated Funding - Carryover Projects	0	0	0	0	119,110		FY22 \$20 for comp plan brought fwd/\$1,270 body armor covers on backorder/\$10K for gazebo repairs brought fwd/\$45K for munic center eng. & archit/\$36K Park Fountain/\$4,240 Mason Ave Parking and \$2.6K Zipline brought fwd (last 4 transferred to cap fund)
	3600	156,010	3,161	1,263	120,310		

Town of Cape Charles FY 2022 BUDGET PREPARATION WORKSHEET DRAFT 4 for Public Hearing						
Detail by Fund and Department	AS OF 5/26/21					2021/2022 Initial Budget Request Notes
	2019/2020 Approved Budget	2019/2020 Full Year Actuals	2020/2021 Annual Current Budget	2020/2021 04/13/2021 YTD Actuals	2021/2022 Initial Budget Request	
100-3650-3000. Recovery, Misc.-Code Enf (mowing, demo, etc)	500	150	150	24,048	0	Regular recovery only, damage reimbursement, etc.
100-3650-6000. Recovery Town Mgr-Misc	0	126	0	10,195	0	
3650	500	457	400	35,101	0	
100-3700-2200. Grant Gen Fund - USDA Rural Development	0	0	48,363	0	28,350	Annual purchase - 2 Police vehicles, one carried over from FY21 - was out of stock
3700	0	0	48,363	0	28,350	
100-3750-2000. Personal Prop. Tax Reimbursement- PPTRA	35,424	35,424	35,424	35,424	35,424	
100-3750-3000. Local Sales and Use Taxes	53,000	52,478	55,000	50,671	63,000	
3750	88,424	87,901	90,424	86,095	98,424	
100-3800-1000. Assistance to Local Police Dept HB 599 - State	29,000	31,248	31,248	30,863	31,248	DHR CAMP training Grant for planning commission
100-3800-2000. Grant - Criminal Justice Svd & Byrne & CaresSupl	1,000	927	1,000	720	1,000	
100-3800-5000. Grant - Litter Prevention Grant (DEQ)	0	0	814	935	935	
100-3800-6000. Grant - Miscellaneous/Other	0	0	7,460	0	7,460	
3800	30,000	32,175	40,522	32,518	40,643	
100-3850-1000. Grant - Budget Contrib from County	20,000	20,000	19,500	19,500	30,000	Library Contribution from Northampton County
3850	20,000	20,000	19,500	19,500	30,000	
100-3900-1000. Grant - VML Risk Management	4,000	0	4,000	0	4,000	
3900	(18,142)	0	21,883	0	4,000	
100-3950-2100. Loan Proceeds USDA Rural Devlpmnt	0	0	41,454	0	52,650	
3950	0	0	41,454	0	52,650	
100-3975-1100. Miscellaneous Rev & NSF Fees-Gen Fund	0	1,777	1,126	2,166	2,250	includes redemption of credit card points for holiday celebration
3975	3,000	1,777	1,126	2,516	2,250	
General Fund Operations Revenue TOTAL	3,000,002	2,794,128	3,042,399	2,728,212	3,536,507	
General Fund Operations Revenue CORE Revenue Calculation	3,000,002	2,794,128	3,042,399	2,728,212	3,103,578	For calculation of debt service and capital expenditures fund allocations does not include reappropriated funds (projects brought forward)

Town of Cape Charles
FY 2022 BUDGET PREPARATION WORKSHEET
DRAFT 4 for Public Hearing

Detail by Fund and Department	2019/2020	2019/2020	2020/2021	2020/2021	2021/2022	AS OF 5/26/21	2021/2022
	Approved Budget	Full Year Actuals	Annual Current Budget	04/13/2021 YTD Actuals	Initial Budget Request		Initial Budget Request Notes
EXPENSE:							
Legislative Dept							
100-4110-1200. PT Salaries & Wages Legislative	4,800	4,750	4,800	3,950	4,800		
100-4110-2000. FICA Expense	367	386	367	321	367		
100-4110-2100. SUI Expense	12	12	19	29	30		
100-4110-2230. Worker's Comp	0	0	0	0	3		
100-4110-3025. Repair Maint & Inspect Contracted Svcs	4,000	775	1,600	0	1,800	\$1K misc repairs civic cnetr 800 election board	
100-4110-3430. IT, Software, Scan & Website Services	150	729	150	1	300	IT services	
100-4110-3450. Printing & Design Services	0	0	0	0	0		
100-4110-3500. Advertising Services	4,000	2,018	4,000	1,132	3,200	6 misc public hrgs & budget ad	
100-4110-5040. Phone Service, Landline & Wireless	516	445	1,280	340	500		
100-4110-5050. Internet & Cable Services	0	87	427	691	1,080	Spectrum Internet at Civic Center	
100-4110-5080. Lease, Bldgs & Property	0	0	0	0	0		
100-4110-5200. Travel-Mileage, Parking & Tolls	2,500	817	1,800	0	2,350	VML Leg Day,VML Conf, Mayor's Conf, Inst for Local Govt Officials	
100-4110-5210. Travel-Lodging & Meals	6,000	1,232	6,200	1,023	7,425	VML Conf, Mayor's Conf, Local Govt Officials, water/candy, meals for mtgs, Retreat meals	
100-4110-5220. Conference	4,100	1,070	3,600	30	4,300	VML Leg Day,VML Conf, Mayor's Conf, Inst for Local Govt Officials	
100-4110-5230. Education	1,700	0	1,200	0	1,200	consultant/facilitator	
100-4110-5240. Books & Subscriptions	0	0	0	0	0		
100-4110-5250. Dues & Memberships	0	0	0	0	0		
100-4110-5310. Insurance, Public Official Liability	6,076	6,076	6,044	6,195	6,587	misc iPad supplies, binders, etc	
100-4110-6000. Office Supplies	600	854	700	511	700		
100-4110-6125. Departmental Equipment & Supplies	3,000	1,519	1,225	625	4,300	new chairs for TC, special election costs	
100-4110-6150. Comptr, Sftware & Electronics < \$5,000	160	178	1,370	897	4,670	Dropbox, iCloud, apps for iPads, replacement ipads & cases for all (PC nds newer)	
100-4110-6225. Repair & Maintenance Supplies Legislative	0	0	0	0	0		
4110. TOTAL LEGISLATIVE	37,982	20,950	34,782	15,746	43,612		

Town of Cape Charles
FY 2022 BUDGET PREPARATION WORKSHEET
DRAFT 4 for Public Hearing

Detail by Fund and Department	AS OF 5/26/21					2021/2022 Initial Budget Request Notes
	2019/2020 Approved Budget	2019/2020 Full Year Actuals	2020/2021 Annual Current Budget	2020/2021 04/13/2021 YTD Actuals	2021/2022 Initial Budget Request	
Clerk Dept						
100-4112-1000. Regular Salaries & Wages Town Clerk	96,816	98,685	75,576	64,241	62,200	T Outten to Planning dept
100-4112-1100. Regular Salaries & Wages OT Town Clerk	1,805	0	0	0	0	
100-4112-2000. FICA Expense	7,545	7,301	5,782	4,184	4,758	
100-4112-2100. SUI Expense	40	37	32	86	66	
100-4112-2200. Retirement-ER VRS & ICMA-RC Contribution	5,799	5,804	4,519	3,608	3,720	
100-4112-2210. Life Insurance	1,268	1,268	1,013	793	833	
100-4112-2220. Disability Insurance, LTD & STD	757	534	604	360	478	
100-4112-2230. Worker's Comp	103	103	50	130	38	
100-4112-2300. Health Insurance	7,880	6,707	6,675	6,094	500	
100-4112-2310. Dental Insurance	873	926	713	538	591	
100-4112-2320. Vision Insurance	91	99	91	68	91	
100-4112-3000. Contract Labor	0	0	0	0	0	
100-4112-3020. Maint Svc Contracts - Annual	5,150	1,120	1,000	0	600	Carlson Group annual fee
100-4112-3025. Repair Maint & Inspect Contracted Svcs	2,000	1,810	2,000	0	2,000	Shredding svc/2 x yr (one is at Cape Charles Day)
100-4112-3030. Lease - Storage	0	0	0	0	0	
100-4112-3430. IT, Software, Scan & Website Services	4,250	3,764	5,950	5,287	5,600	Municipal one, Carlson Group, Inversa Minds
100-4112-3450. Printing & Design Services	0	0	0	0	0	
100-4112-3500. Advertising Services	0	0	0	0	0	
100-4112-5040. Phone Service, Landline & Wireless	1,140	1,140	1,140	795	780	
100-4112-5050. Internet & Cable Services	0	0	0	0	0	
100-4112-5110. Lease, Office Equipment	4,620	2,864	2,000	420	0	Moved to Tmgr dept
100-4112-5200. Travel-Mileage, Parking & Tolls	3,050	533	350	0	1,350	VMCA teaching, VMCA Exec Committee mtgs, 2 x conferences
100-4112-5210. Travel-Lodging & Meals	4,500	1,154	1,000	0	1,300	2 x conference + VMCA institute, teaching
100-4112-5220. Conference	2,600	1,410	600	0	850	IIMC Region 2 conf/VMCA
100-4112-5230. Education	2,060	867	595	647	0	
100-4112-5240. Books & Subscriptions	2,550	1,340	2,350	3,366	8,350	ESN, incr volume Municode updates to include zoning, newsletters
100-4112-5250. Dues & Memberships	1,200	1,445	750	779	500	
100-4112-5260. Employee Testing & Certification	0	0	0	0	0	
100-4112-6000. Office Supplies	1,250	2,297	1,300	815	1,300	
100-4112-6150. Comptr, Sftware & Electronics < \$5,000	2,225	2,499	1,400	95	250	Adobe Pro subscription
4112.TOTAL TOWN CLERK	159,573	143,707	115,490	92,306	96,156	

Town of Cape Charles
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DRAFT 4 for Public Hearing

Detail by Fund and Department	AS OF 5/26/21					2021/2022 Initial Budget Request Notes
	2019/2020 Approved Budget	2019/2020 Full Year Actuals	2020/2021 Annual Current Budget	2020/2021 04/13/2021 YTD Actuals	2021/2022 Initial Budget Request	
Town Manager Dept						
100-4121-1000. Regular Salaries & Wages-Town Manager	95,001	127,438	100,000	80,779	105,000	Increase per contract, no COLA
100-4121-1200. PT Salaries & Wages Town Mgr	23,429	25,794	23,429	24,422	32,000	Increased \$7K, as YTD May 10th total is \$27,180
100-4121-1600. Bonus & Increase Pool Gen Fund	0	0	0	0	0	
100-4121-1800. Allocated Wages	(14,250)	(14,250)	(15,000)	(12,500)	(15,750)	10% To Utility fund and 5% to Harbor Fund
100-4121-1900. Personnel Lapse Allowance	(10,000)	0	0	0	0	
100-4121-2000. FICA Expense	9,060	11,694	9,442	8,071	10,481	
100-4121-2100. SUI Expense	40	55	64	109	133	
100-4121-2200. Retirement-ER VRS & ICMA-RC Contribution	5,691	5,294	5,980	4,631	6,279	
100-4121-2210. Life Insurance	1,245	1,157	1,340	1,005	1,407	
100-4121-2220. Disability Insurance, LTD & STD	714	460	750	431	786	
100-4121-2230. Worker's Comp	123	123	131	86	132	
100-4121-2300. Health Insurance	7,380	6,488	8,010	5,308	6,760	
100-4121-2310. Dental Insurance	291	277	285	214	285	
100-4121-2320. Vision Insurance	0	0	0	0	0	
100-4121-2325. AFLAC Insurance Premiums - Town portion	0	517	0	0	0	
100-4121-2340. Employee Assist Program	0	122	240	179	250	For all town employees
100-4121-2345. Employee/Volunteer Testing	0	60	0	0	120	In house drug testing
100-4121-2350. Relocation Assistance	0	4,000	4,000	0	0	
100-4121-2360. Staff & Volunteer Appreciation	2,000	2,473	4,000	954	4,000	Board & Volunteer apprec ; staff Christmas celebration partly funded w/credit card pts
100-4121-2800. Allocated Benefits	(3,406)	(3,406)	(3,617)	(3,014)	(3,552)	10% To Utility fund and 5% to Harbor Fund
100-4121-3025. Repair Maint & Inspect Contracted Svcs	0	315	3,500	663	7,200	2 Savin Copier/Printers (annual B&W base contract, color/B&W overages-FY21 overbudget)-adding in shared Finance copier
100-4121-3400. Legal Services TM	40,000	81,125	80,000	83,201	100,000	misc legal, (Employment suit #2, etc.)
100-4121-3401. Legal Services Finance	0	2,287	1,100	493	1,500	Collections, most of which are recovered upon debt collection
100-4121-3410. Management Consulting	2,500	35,126	125,000	15,636	20,000	PPEA study in FY21, moved to special activity fund
100-4121-3420. Engineering & Architect Svcs Gen Fund	25,000	27,000	22,500	2,625	25,000	
100-4121-3430. IT, Software, Scan & Website Services	7,650	16,225	8,000	2,823	7,500	website hosting, misc IT expenses
100-4121-3450. Printing & Design Services	0	0	0	0	0	
100-4121-3500. Advertising Services	500	6,299	1,000	153	1,500	misc ads
100-4121-4015. Grant Exp - Town Match Arts Enter	5,000	5,000	4,500	4,500	2,500	NEA Grant to Arts Enter - dollar for dollar with town match
100-4121-4025. Grant Exp - Town Support Fire Dept	35,000	35,000	35,000	35,000	25,000	FY20 and FY21 paid addt'l \$10k for turnout gear

Town of Cape Charles
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Detail by Fund and Department	AS OF 5/26/21					2021/2022 Initial Budget Request Notes
	2019/2020 Approved Budget	2019/2020 Full Year Actuals	2020/2021 Annual Current Budget	2020/2021 04/13/2021 YTD Actuals	2021/2022 Initial Budget Request	
100-4121-4045. Grant Exp - Cape Charles Musm & Welcm Cntr	5,000	5,000	500	0	0	
100-4121-4050. Grant Exp - Eastern Shore Tourism Comm.	5,000	5,000	5,000	5,000	5,000	Contribution for Marketing
100-4121-4060. Grant Exp - Local Arts, GEAR, Harbor for the Arts	5,000	5,000	0	0	0	Experimental Film Virginia
100-4121-4070. Grant Exp - VRSA Risk Mngmnt Grant Exp	4,000	0	4,000	3,118	4,000	project TBD
100-4121-4100. Grant Exp - YMCA	2,951	0	0	0	5,000	
100-4121-4200. Fireworks	15,000	0	15,000	0	15,000	
100-4121-4210. Cape Charles Main Street	100,000	86,000	75,000	56,250	80,000	Requested \$80k
100-4121-5000. Tax Refund - Prior Year, (RE, PP, BPOL, MISC)	4,000	891	2,000	(305)	2,000	Late exonerations
100-4121-5005. Refund - Misc. Fees	100	500	1,000	300	1,000	Primarily returned permit fees, project canceled
100-4121-5010. Refund - Tourism Zone BPOL	3,500	341	3,500	0	2,000	
100-4121-5020. Refund - Tourism Zone Real & Business Property Tax	5,000	0	5,000	0	2,000	
100-4121-5030. Refund - Tourism Zone Permit Fees	6,000	0	6,000	0	4,000	
100-4121-5040. Phone Service, Landline & Wireless	7,000	6,547	9,000	5,061	10,000	New carrier, and T Mgr phone
100-4121-5050. Internet & Cable Services	0	541	720	507	1,550	Munic Center internet
100-4121-5070. Postage	6,000	5,440	7,000	4,802	8,000	Increased postage costs
100-4121-5080. Lease, Bldgs & Property	1,810	2,747	2,350	3,193	0	use 5090 account for ROW
100-4121-5090. Lease, Right of Way	1,020	0	1,050	0	6,200	Beach, ROW Golf cart path, harbor crossing, restroom pad & Parking lot
100-4121-5110. Lease, Office Equipment	3,300	2,430	6,500	5,443	6,800	postage machine (825/qtr); 2 copier/printers (250/mo)\$400 pp lease taxes
100-4121-5200. Travel-Mileage, Parking & Tolls	500	179	400	0	400	VML
100-4121-5210. Travel-Lodging & Meals	500	689	1,400	0	1,400	VML
100-4121-5220. Conference	0	55	950	30	950	VML
100-4121-5230. Education	0	197	125	125	0	
100-4121-5250. Dues & Memberships	1,000	1,267	1,037	737	1,350	VML, VIG, Northampton Chamber of Commerce
100-4121-5300. Insurance, Property & General Liability	31,396	31,396	32,229	30,927	45,305	Increased property values, audited and updated to add restroom
100-4121-6000. Office Supplies	7,000	5,325	7,000	5,827	8,000	Add masks, sanitizer spls, TMGR printer
100-4121-6150. Comptr, Sftware & Electronics < \$5,000	1,400	3,504	900	6,009	6,750	\$6000,MS 365 for all (emails & full version) TMgr printer & periph \$750
100-4121-6175. Vehicles & Powered Equipment Fuel - Admin Vehicle	1,000	229	800	0	600	
100-4121-6200. Vehicles & Powered Equip.Supplies & Svcs.	1,000	1,675	2,000	0	2,000	Admin vehicle
100-4121-6900. Contingency Fund Exp Gen Fund	35,000	0	40,000	0	50,000	Includes Code enf. actions that may occur, police acad costs, fireworks if addtl costs
100-4121-8510. Transfer Funds to Harbor Fund	0	1,953,072	110,101	102,605	0	historically for harbor debt service, now using debt service fund

Town of Cape Charles
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DRAFT 4 for Public Hearing

Detail by Fund and Department	AS OF 5/26/21					2021/2022 Initial Budget Request Notes
	2019/2020 Approved Budget	2019/2020 Full Year Actuals	2020/2021 Annual Current Budget	2020/2021 04/13/2021 YTD Actuals	2021/2022 Initial Budget Request	
100-4121-8110. Transfer 6% to Capital Projects Fund	81,071	0	0	56,399	186,215	Min of 6% of core operating revenue, before tax increase if applicable
100-4121-8111. Transfer .5% Meals Tax to Cap Proj Fund	0	0	0	0	50,000	New Meals tax dedicated to Capital projects
100-4121-8112. Transfer Reappropriated Funds to Capital Projects Fund	0	0	0	0	97,840	Reappropriated amounts of \$45K muni center, \$10K gazebo repairs, \$36K Park fountain, 2.6K Zipline, \$4.24K Mason ave parking
100-4121-8120. Transfer Funds to Debt Service Fund	151,010	155,735	153,070	126,674	258,614	GF and Harbor debt service for FY2022
100-4121-8130. Transfer Funds to Special Activities Fund	0			0	0	
4121. TOTAL TOWN MANAGER	1,074,997	2,650,432	913,287	668,470	1,200,505	

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Detail by Fund and Department	AS OF 5/26/21					2021/2022 Initial Budget Request Notes
	2019/2020 Approved Budget	2019/2020 Full Year Actuals	2020/2021 Annual Current Budget	2020/2021 04/13/2021 YTD Actuals	2021/2022 Initial Budget Request	
Treasurer Dept						
100-4124-1000. Regular Salaries & Wages-Finance	184,180	196,257	192,124	155,729	249,168	2% COLA & Requesting new full time experienced Project/Finance accountant
100-4124-1100. Regular Salaries & Wages OT Finance	1,396	246	791	305	837	
100-4124-1800. Allocated Wages	(16,737)	(16,283)	(16,281)	(13,569)	(16,762)	10% treas to P Utilities & 3% to harbor, accountant 10% to P Utilities & 10% to Harbor
100-4124-2000. FICA Expense	13,933	12,025	14,758	11,806	19,125	
100-4124-2100. SUI Expense	80	91	128	247	332	
100-4124-2200. Retirement-ER VRS & ICMA-RC Contribution	10,884	11,013	11,302	8,736	14,714	
100-4124-2210. Life Insurance	2,380	2,410	2,533	1,905	3,297	
100-4124-2220. Disability Insurance, LTD & STD	1,428	1,028	1,480	864	1,921	
100-4124-2230. Worker's Comp	192	192	128	126	152	
100-4124-2300. Health Insurance	26,240	21,369	32,040	23,705	33,802	
100-4124-2310. Dental Insurance	1,164	1,206	1,140	855	1,425	
100-4124-2330. Benefits Adminstn Fees	2,225	2,317	2,500	2,368	3,100	FSA administration cost increase
100-4124-2800. Allocated Benefits	(5,188)	(5,117)	(5,323)	(4,436)	(4,997)	10% treas to P Utilities & 3% to harbor, accountant 10% to P Utilities & 10% to Harbor
100-4124-3020. Maint Svc Contracts - Annual	10,100	8,551	10,275	9,864	11,800	Southern Software FMS, Meals & Lodging Module, And Analytics
100-4124-3430. IT, Software, Scan & Website Services	450	1,591	1,075	594	1,075	Inversa Minds & misc.
100-4124-3500. Advertising Services	480	142	480	0	600	Expanded recruiting strategies
100-4124-3600. Payroll Processing & Timekeeping	7,250	6,844	8,200	6,950	8,800	slight cost increase, first one in five years
100-4124-3700. Auditor & Accountant Services	25,675	25,275	26,000	0	26,000	
100-4124-3710. Collections Services & DMV Fees	1,000	625	1,000	300	1,000	
100-4124-3730. Bank Service Charges	325	672	3,500	3,164	3,800	AU Bank fees no longer comp, still at an industry low however
100-4124-3740. Merchant Service Charges	4,500	6,018	6,400	5,046	6,400	
100-4124-3750. Late Fees & Fines	150	58	150	35	150	
100-4124-5040. Phone Service, Landline & Wireless	360	938	780	990	2,340	Add another employee and Jodi data
100-4124-5110. Lease, Office Equipment	1,174	1,169	1,200	1,130	1,230	credit card machines
100-4124-5200. Travel-Mileage, Parking & Tolls	328	361	1,017	85	527	5 employees HR/payroll/TAV certification classes
100-4124-5210. Travel-Lodging & Meals	1,068	722	1,480	114	1,783	5 employees HR/payroll/TAV certification classes
100-4124-5220. Conference	500	125	1,350	0	845	5 employees HR/payroll/TAV certification classes
100-4124-5230. Education	1,879	1,758	815	644	2,635	5 employees HR/payroll/TAV certification classes
100-4124-5240. Books & Subscriptions	0	150	150	150	150	tax statistics publication
100-4124-5250. Dues & Memberships	510	484	600	610	700	TAV/VA GFOA & IPMA and SHRM for HR
100-4124-6000. Office Supplies	4,000	3,150	4,000	2,465	4,000	
4124. TOTAL TREASURER	283,318	287,640	306,892	220,803	379,949	

Town of Cape Charles
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DRAFT 4 for Public Hearing

Detail by Fund and Department	AS OF 5/26/21					2021/2022 Initial Budget Request Notes
	2019/2020 Approved Budget	2019/2020 Full Year Actuals	2020/2021 Annual Current Budget	2020/2021 04/13/2021 YTD Actuals	2021/2022 Initial Budget Request	
Police Dept						
100-4310-1000. Regular Salaries & Wages-Police	268,417	259,345	308,818	255,768	319,895	
100-4310-1100. Regular Salaries & Wages OT Police	5,000	1,791	2,000	2,902	4,000	court hours and summer holidays
100-4310-1200. Part Time Wages Police (COVID related)	0	651	16,681	16,681	0	
100-4310-2000. FICA Expense	20,916	19,244	25,042	20,291	24,778	
100-4310-2100. SUI Expense	120	129	224	422	465	
100-4310-2200. Retirement-ER VRS & ICMA-RC Contribution	15,368	14,865	17,734	13,278	18,382	
100-4310-2210. Life Insurance	3,361	3,490	3,974	2,975	4,119	
100-4310-2220. Disability Insurance, LTD & STD	2,027	1,902	2,344	1,826	2,422	
100-4310-2230. Worker's Comp	8,916	8,911	8,895	9,030	9,776	
100-4310-2300. Health Insurance	44,280	33,938	56,070	36,008	41,062	
100-4310-2310. Dental Insurance	1,747	1,590	1,995	1,427	1,710	
100-4310-3000. Contract Labor	0	0	0	100	0	
100-4310-3430. IT, Software, Scan & Website Services	2,000	3,370	1,600	480	2,875	\$1275 per year for RMS software maintenance
100-4310-4080. Grant Exp - DCJS Byrne	1,000	976	1,000	0	1,000	
100-4310-4150. Grant Exp - Police Other	0	0	0	6,021	4,500	E-summons reserve for software purchase
100-4310-5040. Phone Service, Landline & Wireless	4,820	2,902	5,460	2,219	6,000	add 7th office phone
100-4310-5200. Travel-Mileage, Parking & Tolls	510	398	51	173	513	
100-4310-5205. Travel-Mileage, Parking & Tolls - Pol. Acad.	714	0	0	0	0	
100-4310-5210. Travel-Lodging & Meals	1,510	0	500	0	500	
100-4310-5215. Travel-Lodging & Meals - Pol. Acad.	1,040	0	0	0	0	
100-4310-5230. Education	3,000	2,004	2,500	2,334	2,500	Annual Newport news Academy fees
100-4310-5240. Books & Subscriptions	200	0	200	0	200	
100-4310-5310. Insurance, Public Official Liability	4,808	4,808	4,783	4,902	2,680	
100-4310-5330. Insurance, LODA	0	4,804	5,605	5,605	5,605	
100-4310-6000. Office Supplies	2,000	2,750	2,000	1,925	2,500	
100-4310-6050. Uniforms Expense	5,880	10,013	6,000	2,728	6,000	
100-4310-6125. Departmental Supplies & Equipment - Police	9,000	6,125	9,000	6,116	10,270	\$1,270 carryover body armor covers on backorder from FY21
100-4310-6150. Comptr, Sftware & Electronics < \$5,000	4,100	4,630	2,600	0	2,600	Replace 2 toughbook laptops
100-4310-6175. Vehicles & Powered Equipment Fuel	17,000	12,699	18,000	9,513	16,000	per usage history
100-4310-6200. Vehicle & Powered Equip. Supplies & Svcs	9,000	9,562	8,000	7,758	8,500	
100-4310-6225. Repair & Maintenance Supplies Police	1,500	550	1,500	336	1,000	
100-4310-7070. Vehicles & Equipment	0	0	38,940	8	81,000	Annual purchase - 2 Police vehicles, one carried over from FY21 - was out of stock
4310. TOTAL POLICE	438,384	412,707	551,616	410,825	580,852	

Town of Cape Charles
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DRAFT 4 for Public Hearing

AS OF 5/26/21

Detail by Fund and Department

	2019/2020 Approved Budget	2019/2020 Full Year Actuals	2020/2021 Annual Current Budget	2020/2021 04/13/2021 YTD Actuals	2021/2022 Initial Budget Request	2021/2022 Initial Budget Request Notes
Code Enforcement Dept						
100-4340-1000. Regular Salaries & Wages-Code Enforcement	94,314	95,080	95,364	77,041	98,971	
100-4340-1100. Regular Salaries & Wages OT Code Enf	0	0	0	0	1,020	
100-4340-2000. FICA Expense	7,215	7,308	7,295	5,694	7,649	
100-4340-2100. SUI Expense	40	37	64	116	133	
100-4340-2200. Retirement-ER VRS & ICMA-RC Contribution	5,712	5,712	5,703	4,277	5,918	
100-4340-2210. Life Insurance	1,249	1,249	1,278	958	1,326	
100-4340-2220. Disability Insurance, LTD & STD	746	532	746	434	772	
100-4340-2230. Worker's Comp	600	600	409	407	441	
100-4340-2300. Health Insurance	7,880	6,445	10,680	5,308	7,260	
100-4340-2310. Dental Insurance	582	603	570	428	570	
100-4340-2320. Vision Insurance	91	99	91	68	91	
100-4340-3020. Maint Svc Contracts - Annual	0	0	0	26	800	maintenance contract for copier/printer
100-4340-3025. Repair Maint & Inspect Contracted Svcs-Mowing/Demo	4,000	3,950	4,000	300	5,400	
100-4340-3430. IT, Software, Scan & Website Services	3,000	1,185	4,000	1,347	3,600	IT support, Carlson group scanning \$480, \$1410 annual BS&A maint , no longer renting scanner few months
100-4340-3450. Printing & Design Services	0	0	0	0	0	
100-4340-3500. Advertising Services	0	0	0	220	500	
100-4340-3760. Cash Short & Over Code Enf	0	0	0	(0)	0	
100-4340-5040. Phone Service, Landline & Wireless	780	960	780	645	1,140	
100-4340-5110. Lease, Office Equipment	0	0	0	0	1,000	new wide format scanner/printer shared with planner
100-4340-5200. Travel-Mileage, Parking & Tolls	600	68	600	0	600	
100-4340-5210. Travel-Lodging & Meals	600	363	600	37	600	
100-4340-5220. Conference	0	0	0	0	0	
100-4340-5230. Education	1,000	1,254	1,300	404	1,000	
100-4340-5240. Books & Subscriptions	1,000	518	1,000	150	1,000	
100-4340-5250. Dues & Memberships	500	650	800	210	500	
100-4340-5260. Employee Testing & Certification	0	0	0	0	0	
100-4340-5300. Insurance, Property & General Liability	0	0	0	0	0	
100-4340-6000. Office Supplies	1,000	257	1,500	1,119	1,900	Additional for new shared wide format printer supplies
100-4340-6150. Comptr, Sftware & Electronics < \$5,000	0	1,116	0	0	1,000	
100-4340-6175. Vehicles & Powered Equipment Fuel	725	853	725	639	850	
100-4340-6200. Vehicle & Powered Equip. Supplies & Svcs	200	85	1,000	0	800	
4340. TOTAL CODE ENFORCEMENT	131,835	128,922	138,505	99,829	144,843	

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DRAFT 4 for Public Hearing

Detail by Fund and Department	AS OF 5/26/21					2021/2022 Initial Budget Request Notes
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Public Works Dept						
100-4430-1000. Regular Salaries & Wages-Public Works	148,882	154,331	154,882	112,281	165,460	
100-4430-1100. Regular Salaries & Wages OT Pub Works	750	1,269	18,750	7,947	18,750	
100-4430-1200. PT Salaries & Wages Pub Works COVID related	0	0	0	0	0	
100-4430-1300. PT Salaries & Wages OT Pub Works	0	0	0	0	0	
100-4430-1400. Seasonal Wages	0	0	0	12,851	24,040	Add 2 seasonal workers
100-4430-1500. Seasonal Wages OT	0	0	0	0	0	
100-4430-2000. FICA Expense	13,141	11,082	13,283	11,156	15,931	
100-4430-2100. SUI Expense	107	97	160	341	465	
100-4430-2200. Retirement-ER VRS & ICMA-RC Contribution	10,244	9,931	9,262	6,264	9,895	
100-4430-2210. Life Insurance	2,240	2,172	2,075	1,376	2,217	
100-4430-2220. Disability Insurance, LTD & STD	1,411	981	1,265	665	1,341	
100-4430-2230. Worker's Comp	4,693	5,461	4,439	3,516	4,779	
100-4430-2300. Health Insurance	31,253	24,603	34,710	20,428	27,541	
100-4430-2310. Dental Insurance	1,968	1,978	1,710	988	1,731	
100-4430-2320. Vision Insurance	122	99	91	68	91	
100-4430-3020. Maint Svc Contracts	2,500	2,092	2,500	781	2,500	HVAC/fire extinguishers
100-4430-3025. Repair Maint & Inspect Contracted Svcs	0	350	0	0	0	
100-4430-3030. Lease - Storage	0	0	0	0	0	
100-4430-3040. Grounds Maintenance	70,000	78,309	48,435	53,161	30,000	Central Park & bed maintenance. Mowing done by PW staff
100-4430-3050. Waste Removal	200	0	0	0	0	
100-4430-3060. Landfill Disposal	2,000	1,615	2,000	3,213	3,500	
100-4430-3070. Mosquito & Pest Control	8,100	4,280	8,500	0	8,500	
100-4430-3200. Cleaning and Janitorial Services	7,500	6,575	0	0	5,000	Cleaning civic center and muni center 1 x per week.
100-4430-3430. IT, Software, Scan & Website Services	300	560	2,000	599	2,000	Computer training for staff
100-4430-3500. Advertising Services	250	186	250	0	500	
100-4430-4030. Grant Exp - Nrthmptn Cty Tourism Infrast.	0	0	0	0	0	
100-4430-4070. Grant Exp - VML Risk Mngmnt Grant Exp	0	0	0	0	0	
100-4430-5010. Electric Service	46,000	47,651	50,000	36,878	51,000	inflation (2020 mild winter)
100-4430-5020. Propane & Fuel Oil Exp	1,500	1,111	3,000	3,109	4,000	PW heaters were installed mid-winter
100-4430-5040. Phone Service, Landline & Wireless	2,500	2,102	2,500	1,395	2,300	65/mox1 + \$30/x4
100-4430-5050. Internet & Cable Services	0	0	600	0	1,000	Spectrum
100-4430-5080. Lease, Bldgs & Property	0	0	0	0	0	
100-4430-5100. Lease, Vehicles & Equipment	2,500	1,026	2,500	0	2,500	beach tents

Town of Cape Charles
FY 2022 BUDGET PREPARATION WORKSHEET
DRAFT 4 for Public Hearing

Detail by Fund and Department	AS OF 5/26/21					2021/2022 Initial Budget Request Notes
	2019/2020 Approved Budget	2019/2020 Full Year Actuals	2020/2021 Annual Current Budget	2020/2021 04/13/2021 YTD Actuals	2021/2022 Initial Budget Request	
100-4430-5110. Lease, Office Equipment	0	0	0	0	0	
100-4430-5200. Travel-Mileage, Parking & Tolls	200	267	500	65	500	training
100-4430-5210. Travel-Lodging & Meals	300	0	500	0	500	
100-4430-5220. Conference	0	0	0	0	0	
100-4430-5230. Education	400	194	400	815	400	
100-4430-5240. Books & Subscriptions	100	0	100	0	100	
100-4430-5250. Dues & Memberships	0	0	0	0	0	
100-4430-5260. Employee Testing & Certification	200	230	225	0	225	
100-4430-5300. Insurance, Property & General Liability	0	0	0	0	0	
100-4430-5340. Licensing	0	0	0	0	0	
100-4430-5350. Fines & Penalties	0	0	0	0	0	
100-4430-6000. Office Supplies	650	816	800	1,169	800	
100-4430-6025. Janitorial & Kitchen Supplies	2,500	5,807	6,500	5,547	6,500	Public restrooms & handwashing stations
100-4430-6050. Uniforms Expense	900	798	1,000	209	1,000	
100-4430-6075. Hand Tools, & Small Equipment	1,000	4,123	5,000	824	1,000	
100-4430-6080. Safety Equipment	250	114	1,000	490	500	OSHA compliance
100-4430-6150. Comptr, Sftware & Electronics < \$5,000	200	1,783	850	0	0	
100-4430-6175. Vehicles & Powered Equipment Fuel	13,000	10,002	13,000	4,466	13,000	
100-4430-6200. Vehicle & Powered Equip. Supplies & Svcs	14,000	8,349	14,000	3,048	7,000	Ralph B - in-house work reduces costs
100-4430-6225. Repair & Maintenance Supplies Public Works	58,000	59,213	74,600	42,539	74,600	Parking lot maintenance (gravel) moved here.
100-4430-6275. Beach Maint. & Safety Supplies & Svcs	30,000	30,931	50,000	6,839	50,000	
4430. TOTAL PUBLIC WORKS	479,860	481,414	531,567	343,030	541,166	

Town of Cape Charles
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DRAFT 4 for Public Hearing

Detail by Fund and Department	AS OF 5/26/21					2021/2022 Initial Budget Request Notes
	2019/2020 Approved Budget	2019/2020 Full Year Actuals	2020/2021 Annual Current Budget	2020/2021 04/13/2021 YTD Actuals	2021/2022 Initial Budget Request	
Community Relations Dept						
100-4710-1000. Regular Salaries & Wages-Recreation	45,943	48,260	45,943	37,288	46,862	
100-4710-1100. Regular Salaries & Wages OT Recreation	221	670	994	943	2,034	
100-4710-1200. PT Salaries - Recreation	0	215	1,000	0	0	Move to seasonal
100-4710-1400. Seasonal Wages Rec	0	2,003	8,153	8,213	10,000	Using Seasonal employees for event help/beach attendants/Litter patrol
100-4710-1500. Seasonal Wages OT	0	290	370	370	0	
100-4710-2000. FICA Expense	3,532	3,590	4,319	3,526	4,391	
100-4710-2100. SUI Expense	20	22	32	76	133	
100-4710-2200. Retirement-ER VRS & ICMA-RC Contribution	2,752	2,752	2,747	2,061	2,802	
100-4710-2210. Life Insurance	602	602	616	462	628	
100-4710-2220. Disability Insurance, LTD & STD	361	257	361	210	367	
100-4710-2230. Worker's Comp	2,108	2,111	855	1,614	892	
100-4710-2300. Health Insurance	7,380	5,885	8,010	5,308	6,760	
100-4710-2310. Dental Insurance	291	301	285	214	285	
100-4710-3005. Program & Event Performers & Entertainers CCP	7,200	7,200	10,000	4,250	10,000	CCP, Concerts in the park \$10K requested
100-4710-3025. Repair Maint & Inspect Contracted Svcs	0	0	0	0	0	
100-4710-3430. IT, Software, Scan & Website Services	200	20	200	0	200	
100-4710-3450. Printing & Design Services	0	0	0	0	0	
100-4710-3500. Advertising Services	1,275	618	1,275	100	1,275	
100-4710-3760. Cash Short & Over Recr	0	0	0	0	0	
100-4710-4070. Grant Exp - VML Risk Mngmnt Grant Exp	0	0	0	0	0	
100-4710-4150. Grant Exp - Recreation Other	0	0	0	0	0	
100-4710-5040. Phone Service, Landline & Wireless	780	720	780	585	780	
100-4710-5200. Travel-Mileage, Parking & Tolls	250	209	350	0	400	
100-4710-5210. Travel-Lodging & Meals	0	0	0	0	0	
100-4710-5220. Conference	0	0	0	0	0	
100-4710-5230. Education	350	0	250	15	250	Event Planning & CPR
100-4710-5340. Licensing	715	715	740	715	740	Fishing Pier license
100-4710-6000. Office Supplies	425	380	425	119	425	
100-4710-6050. Uniforms Expense	150	33	150	122	150	
100-4710-6100. Program & Event Supplies & Awards	21,096	16,001	10,846	1,374	20,000	
100-4710-6150. Comptr, Sftware & Electronics < \$5,000	0	870	0	0	0	
100-4710-6225. Repair & Maintenance Supplies Recreation	12,000	719	500	16	500	Was for restroom cleaning in FY2020, decrease
4710. TOTAL COMMUNITY RELATIONS	122,650	94,443	99,201	67,580	109,875	

Town of Cape Charles
FY 2022 BUDGET PREPARATION WORKSHEET
DRAFT 4 for Public Hearing

Detail by Fund and Department	AS OF 5/26/21					2021/2022 Initial Budget Request Notes
	2019/2020 Approved Budget	2019/2020 Full Year Actuals	2020/2021 Annual Current Budget	2020/2021 04/13/2021 YTD Actuals	2021/2022 Initial Budget Request	
Library Dept						
100-4730-1000. Regular Salaries & Wages-Library	81,450	85,197	81,450	69,224	83,579	
100-4730-1200. PT Salaries & Wages Library	10,022	9,667	10,025	0	10,369	
100-4730-2000. FICA Expense	6,998	6,928	6,998	4,991	7,187	
100-4730-2100. SUI Expense	60	52	96	143	199	
100-4730-2200. Retirement-ER VRS & ICMA-RC Contribution	4,879	4,879	4,871	3,673	4,998	
100-4730-2210. Life Insurance	1,067	1,067	1,092	819	1,120	
100-4730-2220. Disability Insurance, LTD & STD	646	464	646	377	662	
100-4730-2230. Worker's Comp	96	96	61	61	57	
100-4730-2300. Health Insurance	11,480	6,447	16,020	6,994	11,957	
100-4730-2310. Dental Insurance	582	988	570	488	570	
100-4730-2320. Vision Insurance	91	99	91	68	91	
100-4730-3005. Program & Event Performers & Entertainers	5,100	528	5,100	0	4,000	
100-4730-3025. Repair Maint & Inspect Contracted Svcs	357	303	375	230	775	ABS Copier maintenance contract
100-4730-3200. Cleaning and Janitorial Services	5,000	3,200	3,000	0	5,000	annual rug/drapery cleaning/high dusting + add weekly cleaning
100-4730-3430. IT, Software, Scan & Website Services	2,652	1,869	2,200	1,038	2,200	Ricoh Ice, Office, Adobe and lab + it services
100-4730-3500. Advertising Services	510	0	510	0	500	
100-4730-4090. Grant Exp - DEQ Litter Grant - Library	0	0	814	0	814	
100-4730-5010. Electric Service	6,500	4,881	7,250	2,428	7,250	overestimated for FY20, should cover inflation
100-4730-5020. Propane & Fuel Oil Exp	1,530	1,235	1,600	2,024	2,400	based on actuals + inflation
100-4730-5050. Internet & Cable Services	0	0	600	0	1,000	Spectrum
100-4730-5110. Lease, Office Equipment	1,041	1,138	1,200	794	1,200	Copier lease
100-4730-5200. Travel-Mileage, Parking & Tolls	663	52	300	0	100	
100-4730-5210. Travel-Lodging & Meals	561	416	561	0	561	
100-4730-5220. Conference	408	207	408	0	400	
100-4730-5230. Education	135	0	135	60	200	
100-4730-5240. Books & Subscriptions - Professional	306	0	306	50	306	
100-4730-5250. Dues & Memberships	458	337	500	80	500	ALA & VLA
100-4730-6000. Office Supplies	1,530	2,647	2,200	1,021	1,800	move copier overage to maint contract
100-4730-6025. Janitorial & Kitchen Supplies	51	0	100	0	200	
100-4730-6050. Uniforms - Library	0	0	200	0	200	
100-4730-6100. Program & Event Supplies & Awards	1,530	1,005	1,530	1,514	1,530	
100-4730-6125. Dept Sppls & Equip -Books, DVD's and CDs	17,500	11,758	17,500	8,001	17,500	
100-4730-6150. Comptr, Sftware & Electronics < \$5,000	3,500	7,103	3,200	0	0	all computers were updated FY18-FY20
4730. TOTAL LIBRARY	167,703	153,733	171,508	104,443	169,224	

Town of Cape Charles
FY 2022 BUDGET PREPARATION WORKSHEET
DRAFT 4 for Public Hearing

Detail by Fund and Department	AS OF 5/26/21					2021/2022 Initial Budget Request Notes
	2019/2020 Approved Budget	2019/2020 Full Year Actuals	2020/2021 Annual Current Budget	2020/2021 04/13/2021 YTD Actuals	2021/2022 Initial Budget Request	
Planning Dept						
100-4811-1000. Regular Salaries & Wages-Planning	56,375	42,619	104,490	52,542	94,219	Add planning technician position
100-4811-1100. Regular Wages OT Planning	0	0	0	1,069	1,842	
100-4811-1200. PT Salaries & Wages Planning	1,040	3,015	6,837	10,517	54,100	Add PT Zoning administrator position/P Commission
100-4811-2000. FICA Expense	4,553	2,521	8,292	5,814	11,487	
100-4811-2100. SUI Expense	25	22	104	173	217	
100-4811-2200. Retirement-ER VRS & ICMA-RC Contribution	3,377	2,263	2,661	788	5,634	
100-4811-2210. Life Insurance	738	492	596	180	1,263	
100-4811-2220. Disability Insurance, LTD & STD	436	204	380	80	738	
100-4811-2230. Worker's Comp	524	524	543	37	89	Planner position reclassified by WC auditor
100-4811-2300. Health Insurance	7,380	2,698	8,010	0	13,521	
100-4811-2310. Dental Insurance	582	194	285	119	570	
100-4811-3410. Management Consulting	16,000	1,153	20,000	0	60,000	Comp Plan update and broad zoning review & Update
100-4811-3430. IT, Software, Scan & Website Services	2,040	1,425	1,400	1,826	3,000	\$500 Carlsen Group scanning/Inversa minds for 3staff vs 1
100-4811-3450. Printing & Design Services	255	0	0	21	300	
100-4811-3500. Advertising Services	2,040	2,623	3,000	2,492	2,500	
100-4811-5040. Phone Service, Landline & Wireless	0	0	1,170	548	1,560	Add Planner phone
100-4811-5110. Lease - Equipment	0	0	0	0	1,000	Wide format scanner/printer shared with building dept
100-4811-5200. Travel-Mileage, Parking & Tolls	958	942	958	0	958	training
100-4811-5210. Travel-Lodging & Meals	2,510	566	2,510	124	1,871	training
100-4811-5220. Conference	250	0	250	0	125	training
100-4811-5230. Education	3,200	1,450	10,660	45	12,015	Board Training + Planner \$3,965/CAMP DHR Grant training \$8050(grant/town match \$590.)
100-4811-5240. Books & Subscriptions	178	727	730	150	309	
100-4811-5250. Dues & Memberships	433	681	600	50	408	
100-4811-5260. Employee Testing & Certification	398	225	400	0	200	
100-4811-6000. Office Supplies	408	223	2,000	1,583	2,400	Add 50% paper and ink for new printer
100-4811-6150. Comptr, Sftware & Electronics < \$5,000	0	0	3,600	2,520	0	
4811. TOTAL PLANNING	103,700	64,566	179,551	80,701	270,325	
100. GENERAL FUND OPERATIONS EXPENDITURE TOTAL	3,000,002	4,438,514	3,042,399	2,103,735	3,536,507	
100. GENERAL FUND CORE OPERATIONS EXPENDITURE TOTAL	3,000,002	4,438,514	3,042,399	2,103,735	3,438,667	Operating Expenditures less carryforward to other funds
100. GENERAL FUND OPERATIONS REVENUE LESS EXPENDITURES	0	(1,644,387)	0	624,477	0	

*transfer to harbor

Town of Cape Charles
FY 2022 BUDGET PREPARATION WORKSHEET
DRAFT 4 for Public Hearing

Detail by Fund and Department	2019/2020	2019/2020	2020/2021	2020/2021	2021/2022	AS OF 5/26/21	2021/2022
	Approved Budget	Full Year Actuals	Annual Current Budget	04/13/2021 YTD Actuals	Initial Budget Request		
110. GENERAL CAPITAL PROJECTS FUND							
110 General Capital Projects Fund Revenue							
110-4121-xxxx. Transfer from Gen Fund for Capital 6%	625,133	222,313	203,654	56,399	186,214.68	Per CAMP policy adopted by Council 6 % of budgeted core revenue to be transferred to Capital Fund	
110-4121-xxxx. Transfer from Gen Fund Meals tax .5%	0	0	0	0	50,000.00	New meals tax allocated specifically for capital projects	
110-4121-xxxx. Transfer from Gen Fund Capital Reappropriation	0	0	0	0	97,840.00	Public Trash Cans \$25k/Park Gazebo Upgrades \$10,000/\$36K Park Fountain/carryover \$2.6K for Zipline installation & \$4.24K Mason Ave Prkng	
110-4520.xxxx Transfer from Sanitation Fund Balance					160,224	Sanitation 2020 Fund bal is >\$261,000 at end of FY2020, subtract customer subsidy FY21, leaves \$195K + available to transfer for Capital spending Gen Capital Fund	
110-4430-xxxx. Grant - VDOT Roads, Trails & Sidewks	760,000	2,042	240,000	308,000	703,483	for Phase 3 construction FY 21	
110-4430-xxxx. Grant Other - Northampton County	0	0	0	25,000	0		
110-4430-xxxx. Loan Proceeds previous year	53,867	0	41,454	0	0		
110 Gen Capital Fund Revenue Total	1,439,000	224,355	485,108	389,399	1,197,762		
110 General Capital Fund Expenditures							
110-4430-7010. Buildings & Improvements	350,000	81,655	86,868	41,421	130,000	Municipal Center Replacement, engineering \$45K of cost reappropriated from FY21 budget	
110-4430-7020. Infrastructure - Open Space-Parks & Outdoor Equip.	30,000	9,360	14,000	10,031	73,600	Public Trash Cans \$25k/Park Gazebo Upgrades \$10,000/\$36K Park Fountain/carryover \$2.6K for Zipline installation	
110-4430-7040. Infrastructure - Parking Lots	10,000	10,455	15,000	0	34,240	Reverse the Reverse restriping Phase I carryover & Phase II	
110-4430-7050. Infrastructure - Streets & Walkways	950,000	29,993	305,000	308,000	929,922	Multi-Use Trail Construction \$226,438 is town contribution (remainder grant)	
110-4430-7060. Infrastructure - Stormwater System	30,000	32,034	0	0	30,000	Storm Sewer Video-mapping, Phase 2	
110-4430-7070. Vehicles & Equipment	0	26,244	22,240	29,412	0		
110-4430-7080. Computers, Software & Elec Equip.>\$5000	0	0	0	56	0		
110 Gen Capital Fund Expenditures Total	1,439,000	224,387	485,108	389,399	1,197,762		
110. Gen Capital Fund Revenue less Expenditures	0	(32)	0	0	0.00		

Per Resolution 20201119E, A minimum of 6% of general core operating revenues each year

Note: Use of ARPA funding for some infrastructure is possible

NOTE: Per CAMP adopted FY2021, capital expenditures definition has been increased from \$5,000 to \$10,000

Town of Cape Charles
FY 2022 BUDGET PREPARATION WORKSHEET
DRAFT 4 for Public Hearing

AS OF 5/26/21

Detail by Fund and Department	2019/2020 Approved Budget	2019/2020 Full Year Actuals	2020/2021 Annual Current Budget	2020/2021 04/13/2021 YTD Actuals	2021/2022 Initial Budget Request	2021/2022 Initial Budget Request Notes
120.General Debt Service Fund						
120 GEN DEBT SERVICE FUND REVENUE						
120-4121-8540. Transfer fm Gn Fund to Debt Svc Fund	151,010	155,735	153,070	126,674	155,957.74	
120-4713-8540. Transfer fm Gn Fund for Harbor DS	102,872	112,850	103,267	102,605	102,656.63	
120 Gen Debt Service Fund Revenue Total	253,882	268,585	256,337	229,279	258,614	
120-4121-6800. Debt Service - Principal Payment TM	93,945	93,945	96,158	96,280	97,346	
120-4121-6850. Debt Service Interest - TM	27,423	26,957	25,458	24,830	21,503	
120-4124-6800. Debt Service - Principal Payment FIN	7,195	7,200	7,402	0	7,615	
120-4124-6850. Debt Service Interest - Finance	639	639	432	0	219	
120-4310-6800. Debt Service - Principal Payment PD	10,005	14,627	11,784	0	11,784	
120-4310-6850. Debt Service Interest Police Dept	1,237	1,810	1,268	0	1,268	
120-4340-6800. Debt Service - Principal Payment Code Enforcement	5,219	5,220	5,372	5,388	984	
120-4340-6850. Debt Service Interest - Code Enforcement	345	344	192	176	97	
120-4430-6800. Debt Service - Principal Payment PW	4,596	4,587	4,728	0	14,095	
120-4430-6850. Debt Service Interest Public Works	408	407	276	0	1,047	
120 Gen Debt Service Expenditures Total	151,010	155,735	153,070	126,674	155,958	
120-4713-8540. Transfer to harbor for `Harbor DS	102,872	102,872	103,267	102,605	102,657	
TOTAL 120 transferred out to Harbor Fund	102,872	102,872	103,267	102,605	102,657	
120 GENERAL DEBT SERVICE FUND REVENUE LESS EXPENSES	0.00	9,978.22	0.00	0.00	0.00	
Per Resolution 20201119E, Up to 8% of general core operating revenues each year				Current year ratio:	0.083	Slightly over the threshold with harbor debt, Gen fund debt only is 5%

Town of Cape Charles
FY 2022 BUDGET PREPARATION WORKSHEET
DRAFT 4 for Public Hearing

Detail by Fund and Department	2019/2020	2019/2020	2020/2021	2020/2021	2021/2022	AS OF 5/26/21	2021/2022 Initial Budget Request Notes
	Approved Budget	Full Year Actuals	Annual Current Budget	04/13/2021 YTD Actuals	Initial Budget Request		
130. Special Activities Fund							
130 Special Activities Fund Revenue							
130-3800-7000. Grant - VA State Promotion of the Arts Passthru	4,500	4,500	4,500	4,500	2,500		
130-3800-3000. Grant - Fire Program Funds (Passthru)	10,000	10,000	15,000	15,000	15,000		
130-3850-2000. Grant Other - Northampton County	0	0	0	25,000	0		
130-3650-6000. Recovery Town Mgr-Misc	0	0	110,000	10,195	100,000		
130-3800-9920. COVID related Federal Grants-CARES	0	0	172,000	172,000	0		PPEA Evaluation Contributions/reg GF recoveries in Gfund
130-3800-9920. COVID related Federal Grants-DHCD CDBG SBR	0	0	845,115	361,186	300,000		This grant was closed in FY21
130-3800-9920. COVID related Federal Grants-ARPA	0	0	0	0	528,615		Estimate only, most likely will change
130-3800-9000. Grant - Parks/Rec Fac/Equipment & CCP	0	0	8,000	309	0		
130-3800-9000. Grant - Friends of the Library	0	13,054	0	3,794	0		
TOTAL SPECIAL ACTIVITIES FUND REVENUE	14,500	27,554	1,154,615	591,983	946,115		
130 Special Activities Fund Expenditures							
130-4121-xxxx. Grant Exp Exp- Arts Enter Passthru	4,500	4,500	4,500	4,500	2,500		
130-4121-xxxx. Grant Exp - Fire Department Passthru	10,000	10,000	15,000	15,000	15,000		
130-4121-xxxx. Grant Exp - Nrthmptn Cty Tourism Infrast.	0	0	0	0	0		
130-4121-xxxx. Grant/Donation Exp - Misc. Pass-through	0	0	110,000	10,195	100,000		PPEA Evaluation Costs/TB reimbursed
130-4121-xxxx. CARES Grant Expenditures	0	0	172,000	172,000	0		
130-4121-xxxx. DHCD CDBG COVID-19 Bus Asst Grant Expenditures	0	0	845,115	361,186	300,000		
130-4121-xxxx. Grant Exp - ARPA	0	0	0	0	528,615		
130-4121-xxxx. Grant - Parks/Rec Fac/Equipment & CCP	0	0	8,000	309	0		
130-4730-xxxx. Grant - Friends of the Library	0	17,329	0	4,732	0		
TOTAL SPECIAL ACTIVITIES FUND EXPENSES	14,500	31,829	1,154,615	567,921	946,115		
TOTAL 130 Special Activities Fund Revenue less Expenses	0.00	(4,275.01)	0.00	24,061.93	0		

Town of Cape Charles
FY 2022 BUDGET PREPARATION WORKSHEET
DRAFT 4 for Public Hearing

Detail by Fund and Department	AS OF 5/26/21						2021/2022 Initial Budget Request Notes
	2019/2020 Approved Budget	2019/2020 Full Year Actuals	2020/2021 Annual Current Budget	2020/2021 04/13/2021 YTD Actuals	2021/2022 Initial Budget Request		
501. PUBLIC UTILITIES FUND							
Public Utilities Revenue							
501-3100-1201. Connection, Plumbing Permit Water	400	1,050	400	1,600	1,000		
501-3100-1202. Connection, Plumbing Permit Sewer	400	1,050	400	1,600	1,000		
3100	800	2,100	800	3,200	2,000		
501-3150-1501. Miscellaneous Revenues - Utilities	1,500	2,958	1,500	94	1,000		
3150	1,500	2,958	1,500	94	1,000		
501-3300-1000. Interest Earned on Bank Deposits - Util	2,600	835	2,600	370	1,000	interest rates down	
501-3300-2000. Dividends & Int. on Investments - Util	19,620	4,775	7,000	142	1,000		
3300	22,220	5,611	9,600	512	2,000		
501-3500-1501. Water Sales	576,036	579,233	590,000	451,698	607,817	Water rate to \$33.46	
501-3500-1502. Sewer Charges	1,063,827	1,048,574	1,061,000	823,580	1,111,324	Wastewater rate to \$63.12	
501-3500-3501. Penalties & Interest - Water Charges	3,500	4,708	2,000	86	1,500	Stopped charging late penalties with COVID	
501-3500-3502. Penalties & Interest Wastewater Charges	7,000	8,746	4,000	151	2,000	Stopped charging late penalties with COVID	
501-3500-4501. Connection Fees - Bay Creek Water	2,625	8,750	4,375	21,000	17,500		
501-3500-4502. Connection Fees - Bay Creek Sewer	2,625	8,750	4,375	21,000	17,500		
501-3500-5501. Connection Fees - Historic Cape Charles Water	3,500	9,496	3,500	3,938	3,500		
501-3500-5502. Connection Fees - Historic Cape Charles Sewer	3,500	9,586	3,500	3,938	3,500		
501-3500-6501. Facility Fees, Rest. - Bay Creek Water	16,000	40,000	24,000	92,000	80,000		
501-3500-6502. Facility Fees, Restr. - Bay Creek Sewer	26,400	66,000	39,600	145,200	132,000		
501-3500-7501. Facility Fees, Restr.- Historic Cape Charles Water	48,000	51,040	48,000	20,760	16,000		
501-3500-7502. Facility Fees, Restr. - Historic Cape Charles Sewer	79,200	86,727	79,200	43,550	26,400		
3500	1,834,214	1,921,610	1,863,550	1,626,899	2,019,041		
501-3600-6000. Reappropriated Funds	0	0		0	55,000	for water tower mixers first budgeted in FY21	
3600	0	0	65,806	0	55,000		
501-3650-4000. Recovery Water & Sewer Misc. charges	0	894	380	380	380		
3650	0	894	380	380	380		
501-3800-2001. USDA Grant Water	0	0	29,663	0	36,000	For water plant pickup truck, Remote read meters phase I & II	
3800	0	0	29,663	0	36,000		
501-3950-2101. USDA Loan Proceeds Water	0	0	55,088	0	68,751	For water plant pickup truck, Remote read meters phase I & II	
3950	0	0	55,088	0	68,751		
Revenue Total	1,858,734	1,933,172	2,026,387	1,631,086	2,184,172		

Town of Cape Charles
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Detail by Fund and Department

	2019/2020 Approved Budget	2019/2020 Full Year Actuals	2020/2021 Annual Current Budget	2020/2021 04/13/2021 YTD Actuals	2021/2022 Initial Budget Request	2021/2022 Initial Budget Request Notes
Expense						
Utility Administration Dept						
501-4500-1800. Allocated Wages	20,025	19,798	20,797	16,915	21,123	Town Manager, Treasurer, and Accountant
501-4500-2000. FICA Expense	3,439	2,701	0	0	0	
501-4500-2100. SUI Expense	13	12	0	0	0	
501-4500-2200. Retirement-ER VRS & ICMA-RC Contribution	2,693	1,786	0	0	0	
501-4500-2210. Life Insurance	354	391	0	0	0	
501-4500-2220. Disability Insurance, LTD & STD	351	159	0	0	0	
501-4500-2230. Worker's Comp	417	423	0	0	0	
501-4500-2300. Health Insurance	2,467	0	0	0	0	
501-4500-2310. Dental Insurance	442	295	0	0	0	
501-4500-2320. Vision Insurance	61	0	0	0	0	
501-4500-2325. AFLAC Insurance Premiums - Town portion	0	172	0	0	0	
501-4500-2340. Employee Assist Program	0	0	0	0	0	
501-4500-2345. Employee/Volunteer Testing	180	0	0	0	0	
501-4500-2360. Staff & Volunteer Appreciation	0	0	0	0	0	
501-4500-2800. Allocated Benefits	5,475	5,440	5,791	4,754	5,470	Town Manager, Treasurer, and Accountant
501-4500-3430. IT, Software, Scan & Website Services	200	20	0	0	0	
501-4500-3450. Printing & Design Services	0	0	0	0	0	
501-4500-3500. Advertising Services	800	0	0	0	0	
501-4500-5040. Phone Service, Landline & Wireless	0	0	0	0	0	
501-4500-5220. Conference	0	0	0	0	0	
501-4500-5230. Education	0	0	0	0	0	
501-4500-5240. Books & Subscriptions	0	0	0	0	0	
501-4500-5250. Dues & Memberships	0	0	0	0	0	
501-4500-6000. Office Supplies	0	0	0	0	0	
501-4500-6150. Comptr, Sftware & Electronics < \$5,000	0	0	0	0	0	
501-4500-6900. Contingency Fund Expense Util Fund	0	0	10,000	0	1,500	Incl Advertising for open positions
4500. TOTAL UTILITY ADMIN.	81,871	64,051	36,588	21,669	28,093	

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Detail by Fund and Department	AS OF 5/26/21					2021/2022 Initial Budget Request Notes
	2019/2020 Approved Budget	2019/2020 Full Year Actuals	2020/2021 Annual Current Budget	2020/2021 04/13/2021 YTD Actuals	2021/2022 Initial Budget Request	
Water Dept						
501-4501-1000. Regular Salaries & Wages-Water	137,049	144,525	140,904	117,013	145,822	
501-4501-1100. Regular Salaries & Wages OT-Water	2,000	95	1,500	3,200	2,040	
501-4501-1200. PT Salaries - Water	18,381	15,049	18,681	13,515	24,000	2 part time employees for flexibility, greater coverage
501-4501-2000. FICA Expense	12,043	11,388	12,361	9,747	12,860	
501-4501-2100. SUI Expense	100	72	96	222	199	
501-4501-2200. Retirement-ER VRS & ICMA-RC Contribution	8,209	8,201	8,425	6,320	8,720	
501-4501-2210. Life Insurance	1,795	1,794	1,888	1,416	1,954	
501-4501-2220. Disability Insurance, LTD & STD	1,106	768	1,104	643	1,140	
501-4501-2230. Worker's Comp	5,069	3,885	3,689	3,652	4,166	
501-4501-2300. Health Insurance	22,140	20,422	24,030	19,183	18,717	
501-4501-2310. Dental Insurance	873	904	855	641	1,161	
501-4501-2320. Vision Insurance	0	0	0	15	91	
501-4501-3025. Repair Maint & Inspect Contracted Svcs	20,400	16,171	18,000	0	20,000	For Professional services and Inspectors
501-4501-3060. Landfill Disposal	0	0	0	0	0	
501-4501-3350. Water Sampling	11,000	9,161	11,000	6,206	11,000	
501-4501-3420. Engineering & Architect Svcs Water	20,000	0	20,000	2,191	20,000	
501-4501-3430. IT, Software, Scan & Website Services	200	40	500	1,120	1,000	
501-4501-3500. Advertising Services	0	184	500	37	500	
501-4501-3730. Bank Service Charges	200	76	200	52	200	
501-4501-4150. Grant Exp - Water Other	0	0	0	0	0	
501-4501-5000. Refund - Tourism Zone Connection Fees Water	9,750	0	2,200	0	3,000	
501-4501-5010. Electric Service	19,890	21,070	22,000	15,552	22,440	Inflation (2020 mild winter)
501-4501-5020. Propane & Fuel Oil Exp	0	0	0	0	0	
501-4501-5040. Phone Service, Landline & Wireless	1,400	1,291	1,740	940	1,740	
501-4501-5050. Internet & Cable Services	0	0	600	394	1,100	
501-4501-5090. Lease, Right of Way	2,821	2,049	3,000	2,111	3,000	
501-4501-5100. Lease, Vehicles & Equipment	0	0	0	0	0	
501-4501-5200. Travel-Mileage, Parking & Tolls	150	86	240	60	240	
501-4501-5210. Travel-Lodging & Meals	800	40	800	0	800	
501-4501-5220. Conference	250	0	0	0	0	
501-4501-5230. Education	0	130	400	190	500	
501-4501-5250. Dues & Memberships	400	400	400	200	400	
501-4501-5260. Employee Testing & Certification	300	405	400	290	400	

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Detail by Fund and Department	2019/2020 Approved Budget	2019/2020 Full Year Actuals	2020/2021 Annual Current Budget	2020/2021 04/13/2021 YTD Actuals	2021/2022 Initial Budget Request	2021/2022 Initial Budget Request Notes
501-4501-5300. Insurance, Property & General Liability	8,105	8,105	8,062	8,263	10,000	
501-4501-5340. Licensing	5,000	3,283	4,000	3,283	4,000	
501-4501-5350. Fines & Penalties	0	0	0	0	0	
501-4501-6000. Office Supplies	1,200	1,027	1,700	210	1,500	
501-4501-6025. Janitorial & Kitchen Supplies	50	25	200	0	300	
501-4501-6050. Uniforms Expense	2,600	547	1,200	0	1,000	
501-4501-6075. Hand Tools, & Small Equipment	200	509	1,300	834	1,500	
501-4501-6080. Safety Equipment	100	0	3,000	0	3,000	
501-4501-6150. Comptr, Sftware & Electronics < \$5,000	350	0	2,000	2,615	0	
501-4501-6175. Vehicles & Powered Equipment Fuel	6,100	4,387	6,100	2,002	5,000	
501-4501-6200. Vehicle & Powered Equip. Supplies & Svcs	2,000	1,260	2,000	373	2,000	
501-4501-6225. Repair & Maintenance Supplies Water	32,000	23,512	70,000	13,586	70,000	
501-4501-6300. Chemical Supplies	72,000	67,181	73,000	52,379	73,000	
501-4501-6325. Laboratory Supplies	2,900	1,000	2,900	831	2,900	
501-4501-6800. Debt Service - Principal Payment W	75,813	0	76,037	76,685	78,964	
501-4501-6850. Debt Service Interest Water	34,043	47,446	33,859	32,037	30,574	
501-4501-7070. Vehicles & Equipment CAPITAL BUDGET	0	(4,312)	32,766	0	32,766	Pickup truck replacement, carryover from FY21, vehicles no longer on capital project list
501-4501-7080. Computers, Software & Elec Equip.>\$5000 CAP BDGT	0	0	15,000	0	71,985	Remote read meters & software, phase I and II (Ph I is carryover FY21)
501-4501-7090. Infrastructure - Waterlines, Tanks & Wells	0	4,312	106,985	0	55,000	Water tower mixer/Power Vent FY21 carryover
501-4501-7095. Work in Progress CAPITAL BUDGET	0	0	0	0	0	
501-4501-7100. Depreciation Expense - Utility Fund	0	670,449	0	0	0	
501-4501-8000. Reserve for Plant Expansion - Facility Fees	64,000	0	72,000	0	96,000	
501-4501-8100. Water Rate Increase Reserve - Future year	0	0	0	0	0	
4501. TOTAL WATER	602,938	1,086,999	807,773	398,009	846,680	

Town of Cape Charles
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Detail by Fund and Department	2019/2020 Approved Budget	2019/2020 Full Year Actuals	2020/2021 Annual Current Budget	2020/2021 04/13/2021 YTD Actuals	2021/2022 Initial Budget Request	2021/2022 Initial Budget Request Notes
Sewer Dept						
501-4502-1000. Regular Salaries & Wages-Sewer	167,285	182,086	183,777	151,343	190,253	
501-4502-1100. Regular Salaries & Wages OT-Sewer	1,500	9	1,500	762	1,530	
501-4502-2000. FICA Expense	12,912	13,192	14,174	11,240	14,671	
501-4502-2100. SUI Expense	100	94	112	221	232	
501-4502-2200. Retirement-ER VRS & ICMA-RC Contribution	10,020	10,528	10,990	8,263	11,377	
501-4502-2210. Life Insurance	2,191	2,303	2,463	1,847	2,549	
501-4502-2220. Disability Insurance, LTD & STD	1,354	1,002	1,443	840	1,489	
501-4502-2230. Worker's Comp	2,439	3,706	1,764	1,746	1,866	
501-4502-2300. Health Insurance	29,520	25,199	32,040	20,756	25,477	
501-4502-2310. Dental Insurance	1,164	1,151	1,140	957	1,140	
501-4502-2320. Vision Insurance	0	0	0	30	91	
501-4502-3020. Maint Svc Contracts - Annual	18,526	11,304	22,300	12,432	22,300	
501-4502-3060. Landfill Disposal - Sludge	15,000	30,848	42,000	17,447	42,000	
501-4502-3200. Cleaning and Janitorial Services	0	0	2,600	600	2,600	
501-4502-3350. Water Sampling	20,400	31,284	20,400	18,406	21,000	
501-4502-3420. Engineering & Architect Svcs WW	20,000	4,784	0	0	20,000	For Professional Services and Inspections
501-4502-3430. IT, Software, Scan & Website Services	7,000	520	7,000	240	7,000	
501-4502-3450. Printing & Design Services	0	0	0	0	0	
501-4502-3500. Advertising Services	0	692	500	0	500	
501-4502-3730. Bank Service Charges	1,405	1,480	1,550	914	1,550	
501-4502-4150. Grant Exp - Sewer Other	0	0	0	0	0	
501-4502-5000. Refund - Tourism Zone Connection Fees Sewer	14,950	0	5,000	0	5,000	
501-4502-5010. Electric Service	80,000	94,065	100,000	75,001	102,000	Inflation (2020 mild winter)
501-4502-5040. Phone Service, Landline & Wireless	6,500	5,430	7,500	6,051	7,500	
501-4502-5050. Internet & Cable Services	0	0	600	0	600	
501-4502-5060. Alarm & Security Monitoring Services	550	1,584	550	511	650	
501-4502-5090. Lease, Right of Way	5,406	2,221	5,425	0	4,000	drop Audit People invoices (pre-Canonie)
501-4502-5100. Lease, Vehicles & Equipment	0	0	0	0	0	
501-4502-5200. Travel-Mileage, Parking & Tolls	3,000	3,157	3,200	2,416	3,200	
501-4502-5210. Travel-Lodging & Meals	500	0	1,000	0	500	
501-4502-5220. Conference	0	0	0	0	0	
501-4502-5230. Education	1,200	0	2,000	132	2,000	
501-4502-5250. Dues & Memberships	850	0	850	625	850	
501-4502-5260. Employee Testing & Certification	450	50	450	80	450	

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Detail by Fund and Department	2019/2020 Approved Budget	2019/2020 Full Year Actuals	2020/2021 Annual Current Budget	2020/2021 04/13/2021 YTD Actuals	2021/2022 Initial Budget Request	2021/2022 Initial Budget Request Notes
501-4502-5300. Insurance, Property & General Liability	30,888	30,889	30,725	31,492	32,725	
501-4502-5340. Licensing	5,100	3,450	4,500	2,889	4,500	
501-4502-5350. Fines & Penalties	0	0	0	0	0	
501-4502-6000. Office Supplies	1,500	2,299	1,500	284	1,500	
501-4502-6025. Janitorial & Kitchen Supplies	100	66	100	183	100	
501-4502-6050. Uniforms Expense	2,500	553	1,500	225	1,000	
501-4502-6075. Hand Tools, & Small Equipment	750	509	750	0	750	
501-4502-6080. Safety Equipment	0	0	250	20	250	
501-4502-6150. Comptr, Sftware & Electronics < \$5,000	1,200	796	1,200	0	1,200	
501-4502-6175. Vehicles & Powered Equipment Fuel	8,500	4,553	7,000	2,046	7,000	
501-4502-6200. Vehicle & Powered Equip. Supplies & Svcs	3,000	4,834	3,000	342	3,000	
501-4502-6225. Repair & Maintenance Supplies Wastewater	65,000	59,302	85,000	39,612	95,000	Will spend the full \$85K in FY21, Add UV lights \$10-12K
501-4502-6300. Chemical Supplies	34,500	29,940	34,500	34,142	39,675	
501-4502-6325. Laboratory Supplies	4,400	648	4,400	0	1,000	
501-4502-6800. Debt Service - Principal Payment WW	323,973	0	326,024	205,667	329,170	
501-4502-6850. Debt Service Interest - Sewer	35,615	48,298	33,899	32,704	30,038	
501-4502-7010. Infrastructure - Facility & Equipment-Sewer Plant	30,000	0	0	0	0	
501-4502-7070. Vehicles & Equipment CAPITAL BUDGET	43,000	0	0	0	0	
501-4502-7080. Computers, Software & Elec Equip.>\$5000 CAP BDGT	0	0	0	0	0	
501-4502-7090. Infrastructure - Sewerlines & Pump Stations	0	0	0	0	53,651	Wash. Ave pump station Rehab phase I electric \$39,151/Sewer Pod controller upgrades phase I of 5 \$14,500
501-4502-7095. Work in Progress - CAPITAL BUDGET	0	0	0	0	0	
501-4502-8000. Reserve for Plant Expansion - Facility Fees	105,600	0	118,800	0	158,400	
501-4502-8100. Wastewater Rate Increase Reserve - Future Year	0	0	0	0	0	
4502. TOTAL SEWER	1,119,849	613,463	1,125,625	682,465	1,253,336	

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	2019/2020 Approved Budget	2019/2020 Full Year Actuals	2020/2021 Annual Current Budget	2020/2021 04/13/2021 YTD Actuals	2021/2022 Initial Budget Request	2021/2022 Initial Budget Request Notes
Utility Billing Dept						
501-4503-1000. Regular Salaries & Wages-Utility Billing	30,293	31,343	31,324	25,326	32,014	
501-4503-1100. Regular Salaries & Wages OT-Util Billing	0	0	0	0	0	
501-4503-2000. FICA Expense	2,317	2,475	2,396	2,062	2,449	
501-4503-2100. SUI Expense	20	18	32	68	66	
501-4503-2200. Retirement-ER VRS & ICMA-RC Contribution	1,939	1,981	2,060	1,545	2,101	
501-4503-2210. Life Insurance	424	433	462	346	471	
501-4503-2220. Disability Insurance, LTD & STD	248	194	255	163	260	
501-4503-2230. Worker's Comp	32	32	21	21	22	
501-4503-2300. Health Insurance	7,380	6,707	8,010	6,094	6,760	
501-4503-2310. Dental Insurance	291	301	285	214	285	
501-4503-3020. Maint Svc Contracts - Annual	441	439	475	375	650	
501-4503-3025. Repair Maint & Inspect Contracted Svcs	0	0	0	0	0	
501-4503-3430. IT, Software, Scan & Website Services	720	120	720	0	720	
501-4503-5040. Phone Service, Landline & Wireless	360	180	360	270	360	
501-4503-5070. Postage	6,200	5,500	6,300	2,000	6,300	
501-4503-5110. Lease, Office Equipment	1,810	1,451	1,900	1,311	2,000	
501-4503-5200. Travel-Mileage, Parking & Tolls	0	0	0	0	80	
501-4503-5210. Travel-Lodging & Meals	0	0	0	0	75	
501-4503-5220. Conference	0	0	0	0	0	
501-4503-5230. Education	200	0	200	0	200	
501-4503-5240. Books & Subscriptions	0	0	0	0	0	
501-4503-5250. Dues & Memberships	0	0	0	0	0	
501-4503-6000. Office Supplies	1,400	1,530	1,411	790	1,250	
501-4503-6150. Comptr, Sftware & Electronics < \$5,000	0	0	0	0	0	
4503. TOTAL UTILITY BILLING	54,076	52,686	56,401	40,584	56,064	
501. PUBLIC UTILITIES EXPENDITURES TOTAL	1,858,734	1,817,199	2,026,387	1,142,728	2,184,171.79	
501. PUBLIC UTILITIES REVENUE LESS EXPENDITURES	(0)	115,973	0	488,358	0	

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510. HARBOR FUND						
Revenue						
510-3150-1000. Harbor Fuel Sales	402,343	392,732	400,000	353,351	478,000	
510-3150-1100. Miscellaneous Sales-Snacks, Drinks, Ice, Clothing	12,750	4,808	7,500	3,063	0	
510-3150-1200. Miscellaneous Sales-Boating Supplies	4,000	8,418	8,000	5,020	0	
510-3150-1300. Miscellaneous Sales-RTIC	3,300	647	0	0	0	
510-3150-1500. Lube & Oil Sales	2,295	1,386	3,000	641	0	
510-3150-2000. Dockage Fees	228,000	217,226	210,000	241,321	300,000	
510-3150-2100. Harbor Electric Sales/NC for Pumpout	16,000	20,753	19,000	15,862	25,000	
510-3150-2200. Lease/Storage Revenue	12,000	12,071	10,000	4,573	10,500	
510-3150-3000. Wharfage Fees	12,000	1,752	10,000	7,814	13,000	
3150	692,688	660,179	667,500	631,644	826,500	
510-3400-1000. Lease - Restaurant Base Amount	6,000	6,000	6,000	4,548	6,000	
3400	6,000	6,000	6,000	4,548	6,000	
510-3650-1000. Credit 1%/Debit\$0.25 Card Fee Rev	510	258	300	348	0	
510-3650-1500. Recovery - Harbor Property Damages	0	1,500	0	1	0	
510-3650-4000. Recovery - Harbor Miscellaneous	0	301	0	227	0	
3650	510	2,059	300	576	0	
510-3800-2000. VA Port Authority Grant	375,000	251,397	64,300	10,586	0	
510-3800-3000. Grant - Federal Boating Infrastructure BIG	0	0	30,754	0	0	
510-3800-3500. Grant Virginia Dept of Health - Pumpout Costs	765	0	1,250	0	1,000	VDH will reimburse 75% of boat pumpout equipment repairs
510-3800-5000. Grant - Litter Prevention Grant (DEQ)	0	814	0	0	0	
3800	375,765	252,211	96,304	10,586	1,000	
510-3900-6000. Appropriation From Fund Balance	8,000	0	86,037	0	0	0 brought fwd inner harbor rehab in FY21
3900	8,000	0	86,037	0	0	
510-3950-2000. Transfer from General Debt Svc Fund	352,872	1,953,072	110,101	102,605	102,657	For debt service
3950	352,872	1,953,072	110,101	102,605	102,656.63	
Harbor Revenue Total	1,435,845	2,873,528	966,257	749,963	936,156.63	

Town of Cape Charles
FY 2022 BUDGET PREPARATION WORKSHEET
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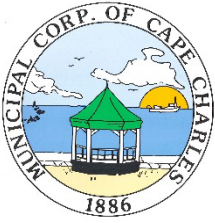
Detail by Fund and Department	AS OF 5/26/21					2021/2022 Initial Budget Request Notes
	2019/2020 Approved Budget	2019/2020 Full Year Actuals	2020/2021 Annual Current Budget	2020/2021 04/13/2021 YTD Actuals	2021/2022 Initial Budget Request	
Expense						
4713. HARBOR						
510-4713-1000. Regular Salaries & Wages-Harbor	119,742	120,847	119,748	72,571	0	
510-4713-1100. Regular Salaries & Wages OT Harbor	1,500	0	1,500	0	0	
510-4713-1200. PT Salaries & Wages Harbor	0	0	0	0	0	
510-4713-1300. PT Salaries & Wages OT Harbor	0	0	0	0	0	
510-4713-1400. Seasonal Wages Harbor	35,000	22,213	34,995	12,356	0	
510-4713-1500. Seasonal Wages OT	1,890	822	1,890	570	0	
510-4713-1600. Bonus & Increase Pool Harbor Fund	0	0	0	0	0	
510-4713-1800. Allocated Wages	10,962	10,735	11,234	9,154	11,389	Town Manager, Treasurer and Accountant allocations
510-4713-2000. FICA Expense	12,097	10,902	12,097	6,438	0	
510-4713-2100. SUI Expense	141	112	288	262	0	
510-4713-2200. Retirement-ER VRS & ICMA-RC Contribution	3,873	3,873	4,965	1,909	0	
510-4713-2210. Life Insurance	847	847	1,113	433	0	
510-4713-2220. Disability Insurance, LTD & STD	525	382	692	183	0	
510-4713-2230. Worker's Comp	6,935	6,935	7,467	4,167	0	
510-4713-2300. Health Insurance	14,760	13,152	18,690	7,602	0	
510-4713-2310. Dental Insurance	582	603	665	261	0	
510-4713-2800. Allocated Benefits	3,119	3,083	5,790	2,696	3,079	Town Manager, Treasurer and Accountant allocations
510-4713-3000. Contract Labor	0	0	0	0	0	
510-4713-3005. Program & Event Performers & Entertainers	0	0	0	0	0	
510-4713-3010. Auto repairs do not use	0	0	0	0	0	
510-4713-3020. Maint Svc Contracts - Annual	3,300	3,281	4,200	2,728	3,800	Davis Disposal, TFC recycling,
510-4713-3025. Repair Maint & Inspect Contracted Svcs	724	225	400	236	0	Copier contract no longer needed
510-4713-3030. Lease - Storage	0	0	0	0	0	
510-4713-3040. Grounds Maintenance	3,000	1,700	1,500	0	1,500	Misc. beds
510-4713-3200. Cleaning and Janitorial Services	0	0	0	0	0	
510-4713-3415. Management Services Exp - CC Yacht Center	0	0	0	14,266	253,606	Estimated, based on anticipated revenue, per contract schedule
510-4713-3420. Engineering & Architect Svcs Harbor	0	0	0	0	0	
510-4713-3430. IT, Software, Scan & Website Services	2,856	1,945	2,700	1,540	1,700	for security cameras and internet to harbor office only
510-4713-3450. Printing & Design Services	0	0	0	0	0	
510-4713-3500. Advertising Services	6,500	4,543	6,700	7,258	0	
510-4713-3730. Bank Service Charges Harbor	0	696	700	476	700	Debt service administrative fee
510-4713-3740. Merchant Service Charges	12,750	17,814	18,000	22,619	0	
510-4713-3760. Cash Short & Over Harbor	0	(3)	0	3	0	

Town of Cape Charles
FY 2022 BUDGET PREPARATION WORKSHEET
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Detail by Fund and Department	AS OF 5/26/21					2021/2022 Initial Budget Request Notes
	2019/2020 Approved Budget	2019/2020 Full Year Actuals	2020/2021 Annual Current Budget	2020/2021 04/13/2021 YTD Actuals	2021/2022 Initial Budget Request	
510-4713-4160. Grant Exp - VDH BIG	0	7,937	0	8,966	0	
510-4713-5010. Electric Service	21,000	20,705	24,000	18,007	24,480	inflation (2020 mild winter)
510-4713-5020. Propane & Fuel Oil Exp	800	(164)	800	0	700	
510-4713-5030. Water Expense Harbor	750	508	750	614	750	
510-4713-5035. Sewer Expense Harbor	1,400	952	1,400	1,061	1,400	
510-4713-5040. Phone Service, Landline & Wireless	1,380	478	1,050	544	0	
510-4713-5050. Internet & Cable Services	0	0	0	0	720	Spectrum
510-4713-5110. Lease, Office Equipment	950	597	600	199	0	
510-4713-5300. Insurance, Property & General Liability	23,692	23,692	23,566	24,155	23,000	
510-4713-6000. Office Supplies	4,000	893	3,000	556	0	
510-4713-6025. Janitorial & Kitchen Supplies	1,400	2,493	2,500	554	0	
510-4713-6050. Uniforms Expense	1,200	0	1,200	0	0	
510-4713-6075. Hand Tools, & Small Equipment	1,250	2,549	1,500	741	0	
510-4713-6080. Safety Equipment	1,500	287	1,500	15	0	
510-4713-6100. Program & Event Supplies & Awards	4,800	650	4,000	0	0	
510-4713-6150. Comptr, Sftware & Electronics < \$5,000	8,000	7,714	700	820	1,000	security camera replacement as needed
510-4713-6175. Vehicles & Powered Equipment Fuel	1,500	790	1,500	2,742	3,300	
510-4713-6200. Vehicle & Powered Equip. Supplies & Svcs	8,000	1,902	8,000	1,148	8,000	
510-4713-6225. Repair & Maintenance Supplies Harbor	32,368	44,005	32,500	35,048	65,000	Listing of repairs provided by CCYC + routine maintenance
510-4713-6230. Repair & Maint Suppl Reimbrsbl	1,000	12,539	2,000	0	1,500	VDH will reimburse 75% of boat pumpout equipment repairs
510-4713-6400. COGS - Fuel for Resale	320,000	281,293	297,000	235,991	353,000	
510-4713-6800. Debt Service - Principal Payment HRB	73,443	0	75,955	75,955	78,693	Funded by transfer from Debt Svc Fund, which was transferred from Gen Ops fund
510-4713-6850. Debt Service Interest - Harbor	29,429	39,408	27,312	26,650	23,964	Funded by transfer from Debt Svc Fund, which was transferred from Gen Ops fund
510-4713-6900. Contingency Fund Expense Harb Fund	0	0	0	0	13,875	
510-4713-7010. Building, Equipment, Other CAPITAL BUDGET	8,000	0	0	0	0	
510-4713-7060. Infrastructure - Breakwaters & Jetties	500,000	0	0	0	0	
510-4713-7080. Computers, Software & Elec Equip.>\$5000 CAP BDGT	7,500	0	35,000	6,805	0	
510-4713-7085. Infrastructure - Docks & Misc CAP BDGT	125,000	0	146,090	130,437	61,000	capital Evaluation Plan \$20K/Structural piling repair \$36K/East Inner Harbor Rehab \$5K
Harbor Expense Total	1,435,845	874,407	966,257	745,924	936,157	
Harbor REVENUE LESS EXPENDITURES	(0)	1,999,122	(0)	4,038	0	

Town of Cape Charles
FY 2022 BUDGET PREPARATION WORKSHEET
DRAFT 4 for Public Hearing

Detail by Fund and Department	2019/2020	2019/2020	2020/2021	2020/2021	2021/2022	AS OF 5/26/21	2021/2022 Initial Budget Request Notes
	Approved Budget	Full Year Actuals	Annual Current Budget	04/13/2021 YTD Actuals	Initial Budget Request		
520. SANITATION FUND							
Sanitation Fund Revenue							
520-3150-1000. Refuse Collection Fees	198,068	198,218	196,997	152,486	229,771	Rate Increase \$1.81/mo per cost of sanitation services contract To \$16.68 per mo	
520-3150-2000. Bulk refuse collection fees	600	265	600	375	600		
520-3150-3000. Miscellaneous Refuse fees	0	0	0	0	0		
520-3150-4000. Penalties & Interest - Garbage Charges	2,178	1,669	2,000	15	0		
520-3900-6000. Appropriation from Fund Balance	13,700	9,133	20,677	0	160,224	To transfer to Capital Fund	
TOTAL Sanitation Fund Revenue	214,546	209,285	220,274	152,876	390,595		
520-4520-3010. Vehcl & Equip Repairs, Supplies	0	0	0	0	0		
520-4520-3020. Maint Svc Contracts	203,796	206,205	207,773	141,489	216,513	New Contract/Bids in Fall-may see .25 increase rate Nov 21	
520-4520-3500. Advertising Services	0	0	0	0	0		
520-4520-5300. Insurance, Property & General Liability	708	708	705	722	1,000		
520-4520-6225. Repair & Maintenance Supplies Sanitation	0	0	0	0	12,858	Move trash can replacement to maintenance based on cost per piece	
520-4520-7090. Bulding, Equipment, Other CAPITAL BUDGET	10,042	0	11,796	11,796	0		
520-4520-8110. Transfer to Capital Fund					160,224		
520-4520-7100. Depreciation Expense Sanitation	0	2,372	0	0	0		
TOTAL Sanitation Fund Expenditures	214,546	209,285	220,274	154,007	390,595		
Sanitation Revenue less Expenditures	0	0	0	(1,131)	0.0		
					28.35		



DRAFT
TOWN COUNCIL
Work Session
Cape Charles Civic Center
May 13, 2021
6:30 PM

At 6:309 p.m. Mayor William “Smitty” Dize, having established a quorum, called to order the Work Session of the Town Council. In addition to Mayor Dize, in attendance were Vice Mayor Bennett, Councilmen Buchholz, Follmer and Grossman, and Councilwoman O’Brien. Councilwoman Holloway was not in attendance. Also, in attendance were Town Manager John Hozey, Treasurer Deborah Pocock and Town Clerk Libby Hume. There were no members of the public in attendance.

WORK SESSION ORDER OF BUSINESS:

FY 2022 Town Budget Review and Discussion:

Town Manager John Hozey began by stating that the Town was in crisis mode during last year’s budget development due to the many unknowns related to the COVID-19 pandemic and associated federal, state and local states of emergency. The Town took a very conservative approach resulting in a barebones budget which funded only essential expenses. While last year’s budget was the right thing to do, it was not sustainable. The two largest expenditure areas not adequately addressed in last year’s budget were personnel costs and capital projects. Both could be put on hold for short periods of time but cannot be ignored indefinitely. The largest expenditure in the budget were personnel costs because people were the most important component of providing public service. The quality of the services provided was directly related to the quality of the people serving the community. If staff was ignored for too long, the good ones would leave. It was important to provide cost of living adjustments, training opportunities, competitive wages, and decent benefits. Except for maintaining a good benefit package, all these things were cut from last year’s budget, and needed to be worked back in to have a sustainable operation going forward. Capital projects were the other easy cuts when things got tight. Deferring projects for short periods of time was typically not a problem, but if the necessary maintenance was not conducted, a minor repair could turn into a major one, costing much more in the long run. When starting with the structural deficit from last year, adding in reasonable personnel costs, and including a responsible capital program, the Town had a serious shortfall for the fiscal year 2022 proposed budget. As discussed during the strategic planning sessions, over the years, the Town’s revenues had not historically kept pace with expenditures, largely because the Town had not raised property taxes since 2014. Since 2018, the Town had been lowering the tax rate to offset the recent growth in property values. This practice was the primary cause of the current shortfall. In order to build a responsible budget with revenues to adequately fund it, there was a necessity to increase both real property taxes and utility rates. While this was the only practical approach currently available, staff would continue to research other potential revenue generating ideas. If other acceptable revenue sources could be developed, the Town could use them to provide future property tax relief. Some of the major differences in the budget presentation this year included several new funds designed to better track activity and allow for a better understanding of the Town’s operational budget health. Most of the capital spending was grouped into a separate fund. The same was done with one-time unique activities or straight pass-through funding. All debt service was also segregated into its own fund to better track whether we were following our debt service policy. Using this presentation, one could more clearly see the Town’s current operational deficit, the capital projects deficit, and that the Town was currently slightly above the debt service limit set last fall.

John Hozey went on to thank Debbie Pocock for putting everything together adding that he would like to go through the whole budget in broad terms first, then go back to discuss the details. He summarized the highlights as follows:

Fund Budgets: i) Last fall, the Council approved a policy to transfer 20% of operating expenditures from the General Fund Balance to Committed Reserve on the Balance Sheet and 10% to a Contingency Reserve. 6% would be dedicated to capital projects. With these figures factored in, the General Fund Operations Revenue

Less Expenditures showed a deficit of \$302K. Council also approved a policy to set the debt service limit at 8%; ii) The General Fund Revenue projections were reviewed. The projected total of General Fund Operations Revenue was \$3,093,577; iii) The Utilities Fund Revenue Projections were reviewed with a projected total of \$2,094,130. The Public Utilities Revenue Less Expenditures showed a deficit of \$96,282. Although Council had not approved a policy to transfer 20% of operating revenue to a committed reserve, similar to that for the General Fund, John Hozey recommended this policy. 20% of the Utilities Fund projected operating revenue amounted to \$410K and was less than the amount available in reserves. The current reserve was approximately 17%. The 10% contingency fund (rainy day fund) was not recommended for the Utility Fund since it would add to the deficit, which would affect the rate increase. There was some discussion regarding the effect of additional utility customers to the revenue and Debbie Pocock stated that 50 additional customers equated to about \$66K per year in revenue, but that figure also included about \$9K for sanitation; iv) The Harbor Fund had too many unknowns with this being the first year of the management contract with Cape Charles Yacht Center (CCYC). A full year was needed before the account could be evaluated. The Town had a good relationship with CCYC, and they agreed to sit down after a year to make any adjustments that would be reasonable to both the Town and CCYC. John Hozey stated that although the Harbor was an enterprise fund, it was not a true enterprise fund since it was subsidized by the Town. He tried to have it converted to a department under the General Fund, but the auditors would not allow it. The goal was to get the Harbor to cover its costs. The projected revenue was \$936K and projected expenses were \$922K showing a surplus of \$13,875. A generalization could be made that since the Harbor Fund was subsidized by the General Fund, there was no fund balance for the Harbor. 20% of the Harbor operating expenditures would amount to \$181K. If Council opted to designate a Harbor Fund Balance, subtracting this amount from the unrestricted fund balance would leave \$85K in the Town's General Fund Balance; v) The Sanitation Fund Balance was reported to be \$260K as of the last audit, but funds were taken from the Fund Balance last year to subsidize Sanitation leaving about \$195K in the Fund Balance. The projected Sanitation Revenue less Expenditures showed a deficit of approximately \$25K, which would increase the rates by about \$1.80 per month.

General Capital Projects Fund: i) If the Town were to do all the projects currently included in the Capital Assets Management Plan (CAMP) for FY 2022, there would be a deficit of about \$276K; ii)

CAMP Schedules: The CAMP Schedule for FY 2021 was distributed for comparison.

General Fund: i) The highest priority was the Town Hall. The FY 2021 CAMP schedule proposed \$450K for both FY 2022 and 2023. The revised CAMP schedule for FY 2022 reduced the proposed expenditure for FY 2022 to \$130K for studies and engineering; and carried over \$450K for FY 2023 and \$320K for FY 2024 for design and construction. A request for proposals was being prepared for advertising next week. Vice Mayor Bennett expressed his concern that the municipal building was underfunded in the CAMP schedule; ii) The Public Works Butler Building Replacement was proposed for FY 2023 at an estimated cost of \$120K. There was some discussion regarding having two facility construction projects running concurrently. The Public Works Butler Building was pushed to FY 2025; iii) \$30K was included for the Mason Avenue restriping – the second part of the engineering scope of work and the actual restriping; iv) \$227K was included for Phase 3 of the Multi-Use Trail Construction; v) \$20K was included for Central Park Gazebo Upgrades. The structure was deteriorating and in need of repair. \$12K would be spent this year to replace the rotting boards and the \$20K next year would be to upgrade the electrical; vi) \$25K was included for trash can replacements; vii) \$20K for the Central Park Fountain Upgrades was moved from FY 2022 to FY 2021; viii) The total amount budgeted for the General Fund CAMP was \$462K; ix) John Hozey noted that, as part of the CAMP document, Council had the ability to spend 10% of the budget, up to \$25K, on a pet project. If there was something that Council wanted done that was not shown on the CAMP schedule, it was important for Council to include it. No additional comment was received regarding this item; x) Councilman Grossman pointed out a number of projects budgeted for in FY 2021 that would not be completed. John Hozey stated the budgeted amounts that remained unspent could be re-appropriated for FY 2022 reducing the deficit.

Harbor Fund: The CCYC was provided an opportunity to give their opinion regarding capital projects. The FY 2022 proposed CAMP schedule totaled \$61K for the following: i) \$20K for the Harbor Capital Plan Evaluation; ii) \$36K for Structural Piling Repair; iii) \$5K for Rehabilitation of the East Inner Harbor; iv) The \$10K for the Harbor Pergola was moved from FY 2022 to 2023 per CCYC recommendation; v) Mayor

Dize asked about the \$30K included in FY 2023 for the Phoenix System Replacement since it was determined that fuel could not be sold without an attendant being on duty. John Hozey stated that it was an old, outdated system that still needed to be upgraded.

Utilities Fund: The FY 2022 proposed CAMP schedule totaled \$139,500 for the following: i) \$55K for the Water Tower Mixers. This was initially included in this year but had not been done so was included again in FY 2022. With the potential sale of the water system, Council agreed to shift the \$55K expenditure to FY 2023 and include \$20K for a professional engineering review for the Department of Health approval of the proposed project. The shifting of this project to FY 2023 would help to keep the rate increase to a minimum. If the system was sold, the new company would have the expertise to know what needed to be done; ii) \$40K for the Washington Avenue Pump Station Upgrade; iii) \$14,500 for Sewer Pod Controllers; iv) \$30K for the Water Treatment Plan Upgrade Analysis. Also due to the potential sale of the water system, this expenditure was moved to FY 2023. If the system was not sold, the analysis would be needed; v) With the adjustments made the total was reduced to \$74,500. With this reduction, the utility rate increase would be approximately \$2.75.

General Debt Service Fund: i) Debt service was an operational expense, and the purpose of this fund was to monitor the Town's debt capacity; ii) The total General Fund debt service was about \$156K; iii) The Harbor Fund debt service was \$102,657; iv) The total debt service was about \$259K which amounted to 8.36% of the general core operating revenues which was slightly over the 8% approved by Council in November 2020. John Hozey added that taking on additional debt was not an option to resolve the current budget deficit problems.

Special Activities Fund: This Fund was created for miscellaneous revenue and expenditures including grant pass-throughs. Any monies received under the American Rescue Plan Act (ARPA) would be held in this account until it could be appropriated, and a budget amendment could be advertised and approved. No ARPA funding was included in this proposed budget since the amount and uses were still unknown. Vice Mayor Bennett stated that the funding could be used for utility infrastructure and the Town of Exmore had already published that they would be using a portion of their funding for their utility infrastructure.

Personnel: i) No adjustments were made last year to personnel; ii) A 2% cost of living allowance (COLA) was proposed for all staff except for the town manager, equating to 1% per year since no COLA was approved in FY 2021; iii) There would be no individual merit increases; iv) Several small market-based adjustments ranging from \$500 to \$1,200 per year were made. If a staff member were to leave, he would not be able to replace the majority of them at their current salaries; v) The total cost of the personnel investment was \$68,916; vi) An additional, higher-level position was requested for the finance department. The estimated cost of this position was not included in the \$68K figure. The treasurer's workload was not sustainable with major deadlines from December through March, followed by the required work for vacation rentals, business licenses, grants, budget and audit, etc. It would be nice to have an individual with an experience-level similar to Debbie Pocock to transfer some of her knowledge and a possible succession plan; vii) Another personnel request was received to move the part-time position at the water plant to a full-time position, but it was not included in the proposed budget due to the current staff person leaving and the potential sale.

There was some discussion regarding a number of positions and succession issues.

The 12-Year General Fund Budget History, the 14-Year Tax Rate History, and 10-Year Utility Rate History for Water and Sewer were distributed for reference. (Please see attached.)

There was discussion regarding the projected revenue and various tax rates: i) The Town's transient occupancy tax (TOT) was currently 3.7% and was basically a pass-through tax charged to vacationers. Although counties were limited to 5% for transient occupancy tax (TOT), towns and cities were not. A possible increase could be considered since some other towns charged twice as much; ii) Councilman Grossman noted that the projected revenue from permits was less than what had been collected the previous two years and asked that they be reviewed again and possibly revised; iii) Several members of Council suggested increasing the fee for golf cart decals since they could be considered a luxury item, possibly a total of \$100 annually including the inspection fee. Another thought was to charge an additional fee for golf cart rentals. A comment was made that many vacation rentals charged extra for use of a golf cart. Staff would review this item and come back to Council with a recommendation; iv) The Town submitted a request for a \$30K library

contribution from Northampton County. In previous years, the Town received \$20K with the exception of FY 2021 when the amount was reduced to \$19,500. The Town was awaiting a decision from the county; v) John Hozey stated that staff was researching possible alternate revenue sources such as paid parking, a resort tax, expanded sales tax, and a special assessment district; vi) Mayor Dize commented that boat ramp fees were not included in the budget. John Hozey explained that he had been going back and forth with the Department of Wildlife Resources (DWR) regarding an agreement that would benefit both the Town and DWR. At some point in the future, the boat ramps would need a major renovation that the Town could not afford. When this process began, staff put in numbers for boat ramp fees and the projected revenue only amounted to about \$18K annually. It cost more than that to maintain the ramps. Technically, the Town was in default of the former agreement for not performing the routine maintenance that now amounted to about \$40K. Recently, the Town and DWR reached an understanding that DWR would do the maintenance work and the Town would provide five years of free usage. At the end of the five-year period, the agreement would be re-evaluated. By committing to a new agreement, the Town would stay in the queue. If we stopped the agreement, it would be difficult to get back into the program for future assistance. Getting DWR to commit to do the work and having the Town stay in the program had value. The agreement would be brought to Council for review and approval once the details were worked out.

John Hozey stated that the May 20, 2021 Town Council Regular Meeting agenda was light and recommended scheduling a work session following the regular meeting to continue budget review and discussion. The Mayor and Council agreed.

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

The meeting adjourned at 8:59 p.m.

Mayor Dize

Town Clerk

May 13, 2021 Town Council Work Session

Additional Documents Provided

GENERAL FUND BUDGET HISTORY

	Revenue History*	GF Operating Expenses**	Revenue increase	Expenditure increase	Over/under
2020	\$ 2,817,134	\$ 2,917,073	11%	13%	\$ (99,939)
2019	\$ 2,527,809	\$ 2,588,685	11%	15%	\$ (60,876)
2018	\$ 2,276,517	\$ 2,249,123	7%	-1%	\$ 27,394
2017	\$ 2,130,673	\$ 2,267,635	3%	12%	\$ (136,962)
2016	\$ 2,073,154	\$ 2,021,628	-1%	3%	\$ 51,526
2015	\$ 2,096,821	\$ 1,960,387	6%	9%	\$ 136,434
2014	\$ 1,970,534	\$ 1,802,229	8%	0%	\$ 168,305
2013	\$ 1,826,635	\$ 1,809,112	5%	7%	\$ 17,523
2012	\$ 1,738,605	\$ 1,683,611	3%	-1%	\$ 54,994
2011	\$ 1,683,869	\$ 1,704,744	-4%	-19%	\$ (20,875)
2010	\$ 1,746,696	\$ 2,094,819	-1%	25%	\$ (348,123)
2009	\$ 1,756,543	\$ 1,670,543			\$ 86,000
Average Change:			4%	6%	

* Total General Fund Revenue; less all grants, loans, and fund balance transfers

** Total General Fund Expenses; less capital expenditures and pass through grants

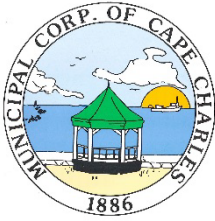
Cape Charles Tax Rate History FY 2008 - FY 2021

Fiscal Year	Real Estate	PPT	Boat	TOT	Meals	Admissions	Short-Term Rentals	Vehicle/ Golf Cart License	Trailers	Notes
2021	0.2731	\$2/100	\$0.01/100	3.7%	5.0%	3.0%	1.0%	\$31.00	\$18.00	
2020	0.2945	\$2/100	\$0.01/100	3.7%	5.0%	3.0%	1.0%	\$31.00	\$18.00	
2019	0.2945	\$2/100	\$0.01/100	3.7%	5.0%	3.0%	1.0%	\$31.00	\$18.00	
2018	0.3260	\$2/100	\$0.01/100	3.7%	5.0%	3.0%	1.0%	\$31.00	\$18.00	
2017	0.3260	\$2/100	\$0.01/100	3.7%	5.0%	3.0%	1.0%	\$31.00	\$18.00	equalized rate - no additional
2016	0.2759	\$2/100	\$0.01/100	3.7%	5.0%	3.0%	1.0%	\$31.00	\$18.00	
2015	0.2759	\$2/100	\$0.01/100	3.0 / 3.7%	5.0%	3.0%	1.0%	\$31.00	\$18.00	TOT increase effective 1/2015
2014	0.2759	\$2/100	\$0.01/100	3.0%	5.0%	3.0%	1.0%	\$31.00	\$18.00	equalized + \$.0085/100
2013	0.1828	\$2/100	\$0.01/100	3.0%	5.0%	3.0%	1.0%	\$31.00	\$18.00	
2012	0.1828	\$2/100	\$0.01/100	3.0%	5.0%	3.0%	1.0%	\$31.00	\$18.00	
2011	0.1828	\$2/100	\$0.01/100	3.0%	5.0%	3.0%	1.0%	\$31.00	\$18.00	
2010	0.1828	\$2/100	\$0.01/100	3.0%	5.0%	3.0%	1.0%	\$31.00	\$18.00	
2009	0.1628	\$2/100	\$0.01/100	3.0%	5.0%	3.0%	1.0%	\$27.00	\$10.00	
2008	0.3008	\$2/100	\$0.01/100	4.0%	5.0%	3.0%	1.0%	\$27.00	\$10.00	

Utility Rate History

Cape Charles Water & Wastewater Rates, 5,000 gallons/month

Year	Water	WW	Total
2011	50.89	44.33	95.22
2012	47.44	47.78	95.22
2013	42.39	73.18	115.57
2014	39.04	75.60	114.64
2015	39.05	75.33	114.38
2016	39.05	75.33	114.38
2017	39.09	75.33	114.42
2018	38.10	75.40	113.50
2019	40.83	74.33	115.16
2020	40.83	74.33	115.16



DRAFT
TOWN COUNCIL
Regular Meeting & Work Session
Cape Charles Civic Center
May 20, 2021
6:30 PM

At approximately 6:30 p.m. Mayor William “Smitty” Dize, having established a quorum, called to order the Regular Meeting and Work Session of the Town Council. In addition to Mayor Dize, in attendance were Vice Mayor Bennett, Councilmen Buchholz, Follmer and Grossman, and Councilwomen Holloway and O’Brien. Also, in attendance were Town Manager John Hozey, Treasurer Deborah Pocock, Chief Jim Pruitt, Community Relations Manager Jennifer Lewis, and Town Clerk Libby Hume. There was one member of the public physically in attendance, and 13 viewers on Facebook.

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

RECOGNITION OF VISITORS / PRESENTATIONS:

A. *National Safe Boating Week Proclamation – May 22-28, 2021*

Mayor Dize read Proclamation 20210520 Proclaiming May 22-May 28, 2021 as National Safe Boating Week.

Motion made by Councilwoman Holloway, seconded by Councilman Grossman, to adopt Proclamation 20210520 for National Safe Boating Week. The motion was approved by unanimous vote.

B. *Recognition of Town Employee Celebrating Significant Anniversary*

Mayor Dize recognized Public Works Manager John Lockwood for five years of service to the town effective May 31, 2021.

PUBLIC COMMENTS:

Dianne Davis, 601 Jefferson Avenue

Ms. Davis addressed Council regarding the following: i) She suggested that when riding around to check the grass heights in yards, to also check backyards. There was a house that she had commented on last year, that still had the old bricks, shingles and dirt from a window project that was required by the town a number of years ago. It was getting to be summer again and she did not know what type of animals were living in the yard but thought that the Town should check on it; ii) She expressed her concern of residents of the Town being provided with 30-days’ notice to vacate their home because of it being sold. The majority of the houses in Cape Charles were vacation rentals. It was very sad when these residents have nowhere else to go in Town. Recently a duplex was sold. There were families living there with two children on one side and three children on the other. With only 30-days’ notice, the families did not know what to do. She realized that Council had no control over the buying and selling of houses and she knew that vacation rentals made plenty of money during the summer season. She did not want everyone to forget about the people living here who could not afford to buy their home. No one seemed to know what affordable housing was because the people living here could not afford to pay those prices. She would like someone to suggest what could be done to get housing for the people in Cape Charles who needed it; and iii) She explained another concern of hers regarding unregistered vehicles being permitted to sit for years. She mentioned that years ago, she had a 1985 Camaro in her yard waiting for it to be repaired. She received a letter from the Town, along with a photograph of the car, notifying her to move the vehicle. She did have it removed. Recently, during her walk, she noticed a vehicle that had not been moved in over 20 years. There were also vehicles without license plates parked throughout the Town. Was she targeted because she was a female? The Town needed to treat everyone fairly. It was unfair to cite some

residents and not others. What was the repercussion to someone who refused to move their vehicle? Did the Town just let it go? Please be fair to everybody.

Council asked Ms. Davis the address for the property with the grass and debris in the yard. The property was in the 600 block of Monroe Avenue beside a house on the corner that had just been renovated.

There were no comments received in writing prior to the meeting nor during the public comment period.

CONSENT AGENDA

- A. Approval of Agenda Format
- B. Approval of Minutes:
 - i. March 13, 2021 Town Council Public Input Session
 - ii. March 18, 2021 Town Council Regular Meeting, Work Session & Executive Session
 - iii. April 6, 2021 Planning Commission & Town Council Joint Public Hearing
- C. Approval of February 28, 2021 Financial Report

Motion made by Vice Mayor Bennett, seconded by Councilman Grossman, to approve the Consent Agenda as presented. The motion was approved by unanimous vote.

UNFINISHED BUSINESS:

There was no unfinished business to review.

NEW BUSINESS:

- A. *Resolution of Intent 20210520A – Consider Zoning Ordinance Amendments to Section 3.14:*
Town Manager John Hozey stated that during the last meeting, he mentioned the zoning text and map amendments. There was an oddity in the Code of Virginia requiring Council's authorization to refer zoning changes to the Planning Commission. He discovered that Council had to adopt a resolution of intent to initiate any changes to the zoning ordinance or map. He expressed his views regarding this process. Council was being asked to decide about referring these issues without any prior discussion or knowledge of the issues. He used the broadest language in the resolutions mostly verbatim from the statute stating that there was a public purpose to a public process for Council to certify sending it back to the Planning Commission to begin the public process and holding a public hearing. When all the information had been gathered, it would come back to the Council for a final decision. Both requests for items #7A and 7B were in the Harbor area on the southside of the harbor. Currently, mostly all parcels were zoned light industrial except for one parcel which was zoned in the Harbor area. The owner was asking that the one Harbor parcel be rezoned as light industrial to match the adjacent parcels prior to a pending sale. The pending sale was to the concrete plant. There were rumors earlier this year and last year of a request to rezone the parcels as heavy industrial but that was not the case. The owners of the concrete plant realized it was unnecessary and they were able to accomplish their goals under light industrial. Some minor changes to the text of the Section 3.14 were also requested relating to uses in the light industrial district. John Hozey stated his recommendation for Council approval of both resolutions of intent so the public process could begin.

Motion made by Councilman Grossman, seconded by Councilwoman Holloway, to adopt Resolution of Intent 20210520A – Zoning Ordinance Text Amendment to Section 3.14 General Business/Light Industrial. The motion was approved by unanimous vote. Roll call vote: Bennett, yes; Buchholz, yes; Follmer, yes; Grossman, yes; Holloway, yes; O'Brien, yes.

- B. *Resolution of Intent 20210520B – Consider Zoning Map Amendment Within Harbor District:*

Motion made by Councilman Grossman, seconded by Councilwoman Holloway, to adopt Resolution of Intent 20210520B – Zoning Map Amendment of a Parcel Within the Harbor

District. The motion was approved by unanimous vote. Roll call vote: Bennett, yes; Buchholz, yes; Follmer, yes; Grossman, yes; Holloway, yes; O'Brien, yes.

TOWN MANAGER COMMENTS

John Hozey stated that he did not have any addition comments other than to introduce Ben Sullivan, the new planner who started a couple of weeks ago. It was great having Katie Nunez on board to assist the Town. He was excited to have a full-time planner on board.

Council welcomed Ben Sullivan to the Town.

MAYOR AND COUNCIL COMMENTS

The Vice Mayor and Council did not have any additional comments.

Mayor Dize wished everyone a safe and happy Memorial Day weekend adding that circumstances were a little different this year than in 2020.

Mayor Dize read the announcements.

Motion made by Councilman Buchholz, seconded by Vice Mayor Bennett, to adjourn the Town Council Regular Meeting and move to the Work Session. The motion was approved by unanimous vote.

The Regular Meeting adjourned at 6:30 p.m.

WORK SESSION DISCUSSION: Continuation of FY 2022 Town Budget Review

John Hozey advised Council that the complete packet had been posted but the hard copies provided tonight were just the revised pages.

Fund Balance Reserve Report: John Hozey stated that he reported this information verbally at the last meeting.

General Fund: i) The current General Fund balance was \$1,033,152; ii) The most recent budgeted core operational expenditures totaled \$3,400,747; iii) 30% of the core expenditures was \$1,020,224 (for reserves); iv) Subtracting the amount for reserves left the remaining undesignated General Fund balance at \$12,928.

Utility Fund: i) The current Utility Fund balance was \$283,174; ii) The most recent budgeted core operational expenditures totaled \$2,003,536; iii) 20% of the core expenditures was \$400,707 (for reserves); iv) Subtracting the amount for reserves showed that the Utility Fund Reserve underfunded by \$117,533. The current percentage for the Utility Fund balance was 14.1% of core expenditures.

Sanitation Fund: i) The current Sanitation Fund balance was \$241,119; ii) The most recent budgeted core operational expenditures totaled \$230,371; iii) 20% of core expenditures was \$46,074 (for reserves); iv) Subtracting the amount for reserves left the remaining undesignated Sanitation Fund balance at \$195,045. It was noted that the current FY 2022 Sanitation Budget was in deficit of \$27,771.

Harbor Fund: i) Due to recent transfers to clear prior cash deficiencies for the audit and because another full audit year had not yet transpired, the Harbor Fund balance was difficult to determine but for planning purposes was considered at or near zero until future audits could verify the amount; ii) The most recent budgeted core operational expenditures totaled \$905,257; iii) 20% of the core expenditures was \$181,051 (for reserves), leaving the Harbor Fund Reserve underfunded by \$181,051.

General Fund Detail:

Revenue: i) On page 2, the revenue was increased by \$10K; ii) Page 3 showed \$111K reappropriated from FY 2021 for the comprehensive plan, gazebo repairs, municipal building engineering and architectural services, Central Park fountain repairs; iii) A line item was added to page 4 for an accounting adjustment placeholder showing the amount needed to balance.

Expenditures:

Legislative: The biggest items were i) the purchase of new chairs for the dais. The current chairs were purchased in 2014 and many of them needed to be replaced. Councilman Grossman suggested that the chairs and iPads possibly be put on a rotation basis for replacement; ii) special election costs; iii) new iPads and accessories. The iPad purchases were rotated but those being used by the Historic District Review Board and Planning Commission were the oldest ones currently in use and could no longer be updated. The issue of rotating the purchase of chairs was that the chairs may not be able to be matched from year to year.

Clerk: Funding was still being transferred to Planning with the shift in personnel last year. The only change was to line item 100-4112-5240 adding funding to codify the zoning ordinance after it was updated later in FY 2022.

Town Manager: i) \$7K was added to the part-time salary and wages for the project manager as this item was already approaching the total budgeted amount for FY 2021. The hourly rate for the project manager was increased which would help with Bob Panek's retirement in the near future; ii) Legal Services was increased for legal advice since he was not yet up to speed on Virginia law; iii) Funding was included for Management Consulting and Engineering Services for flexibility since things could come up unexpectedly; iv) Community Support Grant Expenditures listed the regular non-profit organizations that applied for funding and the YMCA was added. Vice Mayor Bennett expressed his concern of giving Town money to 501C3 organizations while raising taxes to the citizens and added that 501C3s were supposed to be self-supporting. Vice Mayor Bennett agreed that the organizations receiving Town funding should be limited to the Cape Charles Volunteer Fire Company, Cape Charles Main Street, and the Eastern Shore of Virginia Tourism Commission. The Community Support Grant items were discussed individually; v) After much discussion, the Virginia Commission for the Arts Grant Town Match was reduced to \$2,500, which would in turn reduce the state's contribution; vi) The funding for the Cape Charles Museum was cut and would be reconsidered after receipt of the American Rescue Plan Act (ARPA) funding; vii) The Eastern Shore of Virginia Tourism Commission was funded for \$5K since they assist with the marketing of the Town. The Welcome Center sent quite a few visitors to Cape Charles; viii) Local Arts, GEAR, Harbor for the Arts was cut; ix) The request from the YMCA was for \$25K for three years, but in the fall of 2020, when representatives made their presentation to the Council, they were requesting \$25K over five years. \$5K funding was included for the YMCA for the services they would provide for Town residents. John Hozey added that \$1,000 worth of water was provided by the Town to fill the two pools at the YMCA. It took the Cape Charles, Cheriton and Eastville fire departments 12 hours to move the water; x) Cape Charles Main Street (CCMS) was funded for \$80K; xi) There was much discussion regarding the July 4th fireworks related to possibly obtaining sponsorships to help fund or requesting funding assistance from Northampton County, since quite a few county residents attend the fireworks. It was explained that in the past, the Town requested funding assistance from the county but had only received assistance one time when it was requested through the Northampton County Tourism Grant. Typically, the only funding received from the county was for the Cape Charles Memorial Library. Jen Lewis noted that the Town paid the county for extra patrol during the holiday; xii) Line item 100-4121-5090 (Lease, Right-of-way) had increased due to the discovery of a railroad easement for utilities. It was an old agreement, and the current staff of the Town and railroad were unaware of it; xiii) Insurance expense was increased to add the silver bullet restroom facility which was previously uninsured. Industry wide, insurance rates were increasing, especially with coastal towns due to climate changes; xiv) Dues & Memberships (100-4121-5250) would be reduced deleting the ICMA membership; xv) Line item 100-4121-8111 was added to show the reappropriated funding for capital projects. \$91K was being reappropriated from the FY 2021 budget for the municipal building engineering, gazebo repairs and Central Park fountain repairs.

Treasurer: There were no changes from the last meeting.

Police: i) The market-based adjustments were made to salaries for 2% COLA plus \$700; ii) Line 100-4310-7070 Vehicles & Equipment included the purchase of two vehicles. One vehicle was carried over from FY 2021 as the vehicle was out of stock when ordered. The police vehicles were now on a seven-year rotation for six officers and the chief.

Code Enforcement: There was much discussion regarding the backlog in permit approval, backup personnel for the code official, and sustainability. The building department could not issue permits until the zoning reviews were completed. Katie Nunez caught up the backlog of zoning reviews, so permits were now being issued. Additional staff was needed in the building/code enforcement department but was not requested since there was no space at the Town Hall to accommodate any more staff.

Public Works: i) John Hozey stated that the grass cutting contract should not have been given up last year. The public works crew was doing the best they could but was having difficulty keeping up with everything. It was a mistake. The Town saved \$18K on the grounds maintenance contract (100-4430-3040), but two additional seasonal workers were added at a cost of \$24K (100-4430-1400). There was much discussion regarding the maintenance of the beds and landscaping along Mason Avenue and Central Park. Much debate ensued regarding CCMS contributing to the maintenance along Mason Avenue versus covering the beautification aspect with the Town performing the maintenance. There needed to be open communication between CCMS, the merchants and the Town regarding plans for planters, etc. along Mason Avenue. John Hozey stated that the issues regarding the maintenance of the flower beds, planters, etc. needed to be discussed in detail at another meeting; ii) There was also much discussion regarding sidewalk maintenance in the commercial and residential districts. Property and business owners needed to be advised about contacting VDOT regarding their sidewalks. John Hozey stated that he participated in a meeting with a couple of citizens putting together a business brochure notifying all potential business owners of the process and he could see a brochure to help explain what to do regarding sidewalks; iii) Councilman Grossman asked about the expense for beach tents in 100-4430-5100. Jen Lewis explained that in previous years, the Town paid for a tent to be erected at the beach by the LOVE sign. This was not done last year due to the pandemic and restrictions; iv) Councilwoman O'Brien mentioned the condition of the benches along Bay Avenue which were peeling and chipping. John Hozey stated that he had asked Public Works Manager John Lockwood to sandblast the benches to remove the paint. Councilwoman Holloway stated that this was our season and the work on the benches needed to get done ASAP even if it had to be outsourced. Cape Charles had repeatedly been featured as one of the best beach towns and we needed to take care of these things; v) The fishing pier repairs were being done in-house and was taking an enormous amount of time; vi) Councilman Grossman asked about the funding included in lines 100-4430-6225 and 6275. John Hozey stated that all unexpected repairs came under line item 6225. Item 6275 was for beach maintenance and safety supplies. During the strategic planning sessions, the need for a beach plan was identified and the cost would be taken from this line. He asked John Lockwood to develop some recommendations to maintain the beach, not just the dunes. These recommendations would be referred to the Wetlands Board to develop a beach maintenance plan. The anticipated timing for this project was over fall and winter for implementation next spring; vii) Vice Mayor Bennett noted that funding for beach sand replenishment was a FEMA requirement in order to qualify for assistance when needed; viii) There was much discussion regarding the condition of the beach accesses and plans to have them cleaned and opened by the Memorial Day weekend.

Community Relations: i) Most items were removed from this department's budget last year due to the pandemic when events could not be held. Events and funding were added back in, so it looked like a huge increase; ii) The use of beach attendants went well last year, so were added again this year, but the program was being expanded to also include litter control along Mason and Bay Avenues; iii) Councilman Buchholz asked if the Town could require attendants to be certified lifeguards. John Hozey stated that we could not. Libby Hume added that the idea of lifeguards was researched in the past and the requirements for open water lifeguard certification was much more

involved than for swimming pools; iv) Mayor Dize asked why the Citizens for Central Park (CCP) concerts in the park was included in this budget versus being shown in the Town Manager budget as a grant. John Hozey explained that this was not a grant. The concerts were fundraisers that generated money that helped to maintain the Town's Central Park. The concerts also added a whole atmosphere to the Town and were a great amenity that the Town could not do at this price.

Library: There were no questions regarding the library budget.

Planning: i) The Management Consulting line (100-4811-3410) was increased significantly for the comprehensive plan and zoning ordinance reviews and updates; ii) Councilman Grossman asked about funding for the historic guidelines rewrite. John Hozey responded that this project was included in the FY 2021 budget.

The updated core General Fund expenditures was projected at \$3,400,747, less carryforwards to other funds.

Utility Fund:

Water: i) John Hozey stated that last week, he recommended not including the water tower mixers, but was reversing his decision and included \$55K of reappropriated funding. If the potential sale of the facilities did not happen, the Town would know within three to four months and nothing would be included in the budget to do this work. Since the funding was being reappropriated from FY 2021, it would not affect the bottom line for a rate increase; ii) Two part-time employees were added for better coverage and flexibility.

Sewer: \$20K was added in 100-4502-3420 for professional services and inspections similar to what was added for Water.

Harbor Fund: i) John Hozey stated that there were so many moving parts in this budget and without a year/season since the management agreement, the numbers were a guess. Deborah Pocock did the best she could using numbers from previous years; ii) Deborah Pocock stated that the \$13,875 revenue surplus would be moved to the Harbor Fund Contingency Fund to balance.

Sanitation Fund: i) FY 2022 was a renewal year for the contract so additional funding was included; ii) The revenue less expenditures showed a deficit of \$27,771.

Capital: Line items were added to show reappropriation funding for the Town Hall, Central Park Gazebo and Fountain projects.

Capital Asset Management Program (CAMP) Schedule: i) John Hozey pointed out the appropriations from FY 2021 which amounted to \$45K for the municipal building, and \$36K for the Central Park fountain upgrade; ii) John Hozey spoke to John Lockwood who felt that the Central Park gazebo upgrades could be completed for \$10K; iii) There were no changes to the Harbor Fund CAMP from the last meeting; iv) The Utility Fund CAMP reflected the changes made by Council at the last meeting.

John Hozey stated that he would like to identify another funding source for the Capital Project Fund as 6% was not much. A .5% increase in Meals Tax equated to about \$50K in revenue. The Transient Occupancy Tax (TOT) rate would have to be increased to 4.6% to generate the same amount of revenue.

There was much discussion regarding identifying the revenue source(s). i) Meals Tax was paid by everyone – residents and visitors; ii) TOT was paid by visitors. There was some discussion regarding the possibility of increasing the TOT rate for vacation rental properties versus what was charged for hotels and bed & breakfasts; iii) The state increased the sales tax by 1% and the county also added a 1% sales tax for certain items to help fund the schools. This would affect both Meals Tax and TOT; iv) Every year we heard that the county increased their tax rate, so the Town's tax rates were not changed which contributed to the Town's current situation; v) The Town's TOT was very moderate

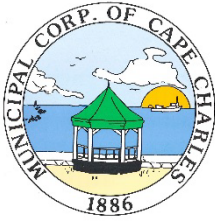
compared to other localities across the state. John Hozey stated that the median TOT rate for towns across the state was 5% and we charged 3.7%. Councilwoman Holloway expressed her disagreement with increasing the TOT rate stating that businesses paying TOT in Town also paid the county and suggested that short term vacation rental properties' rate be increased. Deborah Pocock responded that she needed to research to see if the Town could do so or whether we would have to ask permission from the general assembly; vi) If the TOT rate was increased, the new rate would not take effect until January 1, 2022 since the businesses had current bookings and needed time to update their programming; vii) John Hozey stated that if the Meals Tax or TOT rates were not increased, the needed revenue would have to come from increasing the real estate tax rate. Council agreed that some of the burden needed to be removed from the citizens; viii) The amount of revenue from vacation rental properties were discussed with many earning about \$45K or more. It was noted that a house on Randolph Avenue charged \$600 per night and was booked through the summer; ix) Per the Tax Rate Book, some localities charged a TOT plus an additional \$1 or \$2 per night. There was only one town shown to do this and Deborah Pocock would contact them for information; x) Councilman Follmer stated that an answer could not be determined tonight and proposed a .5% increase to Meals Tax to help with the Capital Project Fund and further discussion regarding other potential revenue sources at the next meeting; xi) Councilman Grossman suggested using some of the money in the Sanitation Reserves. John Hozey stated that the Sanitation Reserves would be discussed at the next meeting scheduled for May 25. Council had reviewed the whole budget and now needed to discuss how to pay for it. Councilman Grossman also noted that the ARPA funding needed to be discussed as well.

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

The meeting adjourned at 9:31 p.m.

Mayor Dize

Town Clerk



DRAFT
TOWN COUNCIL
Work Session
Cape Charles Civic Center
May 25, 2021
6:30 PM

At 6:39 p.m. Vice Mayor Steve Bennett, having established a quorum, called to order the Work Session of the Town Council. In addition to Vice Mayor Bennett, in attendance were Councilmen Follmer and Grossman, and Councilwomen Holloway and O'Brien. Mayor Dize arrived at 6:46 p.m. and Councilman Buchholz arrived at 6:49 p.m. Also, in attendance were Town Manager John Hozey, Treasurer Deborah Pocock, and Town Clerk Libby Hume. There were no members of the public in attendance.

WORK SESSION DISCUSSION: Continuation of FY 2022 Town Budget Review

John Hozey went through the changes from the last meeting as follows: i) Reappropriations were being made to the zip line (\$2,600), Mason Avenue Parking (\$4,240), and police department body armor (\$1,270); ii) Deborah Pocock reviewed another month's worth of actuals for the Utility and Sanitation Funds, and the projected revenue was increased; iii) As discussed at the last meeting, community support grant funding was reduced. The funding for the Cape Charles Museum was deleted pending funding from the American Rescue Plan Act (ARPA); iv) The Town Manager membership dues were reduced deleting the membership for the International City/County Management Association (ICMA); v) There was some discussion regarding grounds maintenance for Mason Avenue. Councilman Follmer asked that the same amount spent this year be put in the budget as a placeholder, and contributions could be solicited from the merchants along Mason Avenue. John Hozey asked Deborah Pocock to research the amount invoiced this year for Mason Avenue.

Council reviewed handouts showing various options to balance the budget. There was discussion as follows: i) The Transient Occupancy Tax (TOT) rate history was reviewed showing that the Town charged a 4% TOT in 2008, 3% was charged from 2009 to 2014, and 3.7% from 2015 to present. At the last meeting, the TOT rates from other localities in Virginia were reviewed and it was noted that several cities and a town charged a flat nightly rate in addition to the percentage. John Hozey contacted the Town's attorney to discuss whether the Town had the authority to charge an additional flat rate and whether different rates could be charged for hotels and bed & breakfasts (B&Bs), and residential vacation homes. The attorney informed him that nothing could be found prohibiting the Town from adding a flat rate or charging different amounts but advised that the rates should be justified in case they were challenged. Hotels and B&B rooms typically were rented for one or two people. Residential vacation homes rented out the whole house and the number of people varied depending on the number of bedrooms, beds, sofas, etc. Another rationale was the renters of residential vacation homes had kitchen facilities and the ability to prepare meals, whereas patrons of hotels and the B&Bs were more likely to frequent the restaurants. If Council opted to move forward with the additional flat rates, several sections in the Town Code would need to be updated; ii) A breakdown of facilities showed 3 hotels, 5 B&Bs, and 251 residential vacation homes; iii) Any changes to the TOT rates would become effective January 1, 2022 to allow the property owners to update their websites, adjust any reservation software and point-of-sale systems. Many of the facilities also had booked reservations through the year; iv) Council had previously discussed and reached a consensus on a .5% meals tax increase with the additional revenue allocated for the General Capital Projects Fund; v) Two Sanitation Reserve options were reviewed. Option 1 showed the Town subsidizing the trash collection rates for approximately six or seven years, the value to residents was estimated at \$21 per year. Option 2 showed a portion of the reserve being transferred to the Capital Project Fund to offset the capital deficit, which would relieve some of the required real property tax increase. The estimated value to residents with a home assessed at \$400K was \$134 per year, and \$157 per year for a resident with a home assessed at \$500K. Council was in agreement

to go with Option 2 to help minimize the real property tax rate increase; vi) The Cape Charles tax rate history was reviewed. The Town had not had a real property tax increase in over 10 years but had raised or lowered the rates to equalize after the county's property reassessments.

After some discussion, Council reached a consensus on the following increases: i) real property tax rate would increase by \$0.0403 for a total of .3134 per \$100. This rate was still less than the .3260 charged in FY 2018. John Hozey explained that the actual rate could change after updating the proposed budget numbers; ii) Meals tax would increase by .5 for a total of 5.5%; iii) TOT would be increased to 4.0% plus \$1 per night for hotels and B&Bs, and \$4 per night for residential vacation homes. The changes to TOT would be effective January 1, 2022; iv) The water rate would increase by 52¢ for a total of \$33.46 monthly; and the sewer rate would increase by \$1.12 for a total of \$63.12 monthly; v) The sanitation rate would increase by \$1.81 for a total of \$16.68 monthly.

There was further discussion about other potential revenue sources such as a special tax district, tourism district zones, parking meters, etc. A budget amendment would be necessary upon receipt of ARPA funding. Information was still being received regarding potential uses for the ARPA funding.

John Hozey would prepare a memorandum to explain the rationale for the various increases. The communication would be issued as soon as possible on the Town's website and Facebook page. Council was asked to share the notice on their Facebook pages as well and other organizations would be asked to help disseminate the information in order to get it to as many as possible.

The public hearing notice would be prepared and submitted to the newspaper for publication. The public hearing was scheduled for June 17, 2021, and the budget would be adopted at a special meeting on June 24, 2021.

John Hozey noted that boat ramp revenue was not included in the proposed budget. The Town had reached a reasonable agreement that would be brought to Council in the near future. The proposed agreement would be for five years and the Department of Wildlife Resources (DWR) would perform some maintenance and repair work to the ramp estimated to be about \$40K. John Hozey added that, as suggested by Mayor Dize, a Freedom of Information Act request was submitted to the Department of Conservation and Recreation asking for the boat ramp revenue for Kiptopeke State Park from 2018 to present. The average yearly revenue was about \$13K.

John Hozey informed Council that the COVID procedures were discussed at this week's department head meeting and staff requested that Town operations go back to normal on June 1, 2021. Everyone was excited about unlocking the front doors.

Staff was thanked for their work in putting the budget proposal together and providing options to balance.

John Hozey stated that he was encouraged regarding the Town's future adding that there were a lot of good options going forward to reduce taxes and increase revenue.

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

The meeting adjourned at 7:43 p.m.

Vice Mayor Bennett

Town Clerk



DRAFT
PLANNING COMMISSION/TOWN COUNCIL
Joint Public Hearing
Cape Charles Civic Center
June 1, 2021
6:00 p.m.

At 6:00 p.m., Chairman Bill Stramm, having established a quorum, called to order the Public Hearing and Regular Meeting of the Planning Commission. In addition to Chairman Stramm, present were Commissioners Ken Butta, Diane D'Amico, Paul Grossman (Town Council representative to the Planning Commission), Jim Holloway, Dennis McCoy and Michael Strub. Also, in attendance were Town Planner Ben Sullivan, Zoning Administrator Katie Nunez and Planning Technician Tracy Outten. There were three members of the public in attendance.

Mayor William "Smitty" Dize, having established a quorum, called to order the Public Hearing of the Town Council. In addition to Mayor Dize, present were Vice Mayor Bennett, Councilmen Buchholz, Follmer and Grossman, and Councilwomen Holloway and O'Brien. Mayor Dize and Councilman Follmer were not in attendance. Also, in attendance were Town Manager John Hozey and Town Clerk Libby Hume.

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

PUBLIC HEARING PUBLIC COMMENTS:

Chairman Stramm read the Notice of Public Hearing and opened the floor for comments.

There were no comments to be heard.

Planning Technician Tracy Outten read comments from Janet Dudley and Edward Wells which were submitted in writing prior to the public hearing. (Please see attached.)

Motion made by Commissioner Grossman, seconded by Commissioner Butta, to close the public hearing portion of the Planning Commission meeting. The motion was approved by unanimous vote.

Motion made by Councilman Buchholz, seconded by Vice Mayor Bennett, to adjourn the Town Council Public Hearing. The motion was approved by unanimous vote.

The Town Council Public Hearing adjourned at 6:08 p.m.

Chairman Bill Stramm

Mayor William "Smitty" Dize

Town Clerk

**Comments Provided in Writing
June 1, 2021 Planning Commission/Town Council Joint Public Hearing**

Janet Dudley

PROPOSAL

HISTORIC DISTRICT REVIEW BOARD

First I think the board should have guidelines for themselves before they consider guidelines for the homeowners of Cape Charles, by this I mean they should remember three words in their decision making, REASONABLE, PRACTICAL, and CONSISTENCE. Everyone knows that when you buy historic or not, a budget is most always in the thinking of the new homeowners, most time that budget is the determining factor in the upgrades being made. The board should never assume there are unlimited funds, which I have the sense they do assume this. So guidelineing themselves should be their primary goal before each meeting.

Contributing and non contributing well that goes a long way in the determination of how far the board takes their GUIDELINES, as far as telling a homeowner what they can or cannot use is a little too finite, as far as what width siding they have to use or what thickness is going a little too far, and hardy board as opposed to other materials that are just as durable and still looks the same as the rest in the neighborhood seems reasonable and practical to me. Chimneys: have heard that some are allowed and some have been turned down for removal ?????? makes no sense, inside a residence that has no function, and impedes passage thru a doorway denied. as long as the above roof line can be seen, why can't the inside part be removed, has no function cannot be seen from the outside and has no function, some have been approved and others denied?????? makes no sense.

If a home is on the registry of historic home then I think someone, be it the real estate agent, the town or town planner, should make the homeowner aware of difference in the guidelines that apply. Not everyone is savvy when it comes to what the differences are in contributing and non contributing guidelines.

I do think that the board should take seriously, and consider that everyone who buys a house here doesn't have unlimited resources to buy the most expensive materials, but does have the possibility to get a good quality product for a lot less money. And still make a presentable look to their house .

Submitted by
Janet Dudley

Edward Wells, HDRB Chairman

Edward Wells

HDRB Chairman

1st June 2021

I would like to address :

The Mayor, Town Council, Planning board and Town Manager

I would like to thank you all for your time and efforts put into the town.

I would first like to start by stating some facts about the Historic Review Board (HDRB). From May of 2020 until today June 1st 2021 { 1 } years time . We have held 18 total meetings, 103 total pre applications and final certificates of appropriateness, 1892 total pages of documents, plans , diagrams, photos and material descriptions. I and the board personally have spent hours not only reading through this material but also physically inspecting applicants' properties. (Not trespassing) all of this time and effort and only one appeal to council. My point being I believe we on the board are cognizant of the facts of evolving building practices and materials. I believe we are working with the town residents and businesses in a fair and reasonable manner on a case by case basis. I do not agree with having one gratuitous meeting , a questionable survey and a preconceived notion of a historic philosophy. I do not agree with some of the "Cape Charles Historic District Guiding Philosophy " Some of the assumptions are not consistent with current guidelines. We (HDRB) do not stop homeowners or business owners from making changes to their property which is implied in the "New" philosophy. I never considered HDRB guidelines as law . (again implied) To start changing current wording in the guidelines specifically "Synthetic Material" and using the appropriate metric "that it has a genuine authentic appearance such that a typical observer would not be able to discern a visual difference from the original material/design from any public right of way. This metric is too broad of scope. What is a typical observer ? What is in historical appearance to one may not be to another. It has the potential for too many different opinions in which we try to base conclusions on. I think the guidelines should be revised and updated by persons with an architectural history background along with historic renovators ,builders and contractors with backgrounds with building materials and uses. In the current guidelines in the introduction it states " These guidelines are tailored to your community. They are based on extensive study of Cape Charles historic district, including the types of buildings in the district ,their condition,and the current policies and goals of the town. Thank you , Ed Wells

April 2021 Treasurer's Report

Page 1 – Cash Position

- There was a \$120,587 debt service payment made on the 2010 VRA Interest Free Loan for the wastewater treatment plan.
- Cash was transferred from the money market to the operating account to pay regular expenses and the debt service payment.

Page 2 – Revenue vs. Expenditures

- The harbor debt service YTD is \$102,605.18, and the YTD net loss is only \$84,055.

Page 3 – Capital Projects

- The SCADA system base computers were purchased.
- The Inner Harbor rehab project is complete.
- The zipline for the park playground is pending arrival of a part for installation.

Page 4 – Tax Collection Rate

- Tax collections are a little above what was budgeted.

Page 5 – Tax Revenue Trends

- Harbor dockage continues to increase. It is nearly twice what it was in April 2019.
- BPOL, sales tax and transient occupancy taxes show tremendous growth, and meals tax should surpass 2020 by the end of May.

MUNICIPAL CORPORATION OF CAPE CHARLES
TREASURER'S REPORT
April 30, 2021

<u>Cash on Hand</u>	<u>3/31/2021</u>	<u>4/30/2021</u>	<u>Increase/ (Decrease)</u>
Atlantic Union Bank Checking Account	\$416,080	\$663,704	\$247,623
Atlantic Union Bank Money Market Account	\$2,249,568	\$1,999,654	-\$249,914
LGIP Account 1 - Unrestricted	\$104,206	\$104,214	\$8
LGIP Account 2 - Unrestricted	\$305,329	\$305,353	\$24
Total Cash On Hand	\$3,075,183	\$3,072,925	\$0

<u>Restricted and Reserved Cash Balances</u>	<u>3/31/2021</u>	<u>4/30/2021</u>	<u>Increase/ (Decrease)</u>
Atlantic Union Bank Savings Account - Facility Fees Rsrvd (Utilities)	\$1,079,308	\$1,079,317	\$9
Atlantic Union Bank Checking Account - Police Funds	\$431	\$431	\$0
LGIP Account 2 - Restricted for USDA loan covenant	\$25,890	\$25,890	\$0
Atlantic Union Bank Checking Acct - E-Summons Revenue Rsrvd	\$4,916	\$5,134	\$218
US Bank - Reserved per VRA Interest Free Loan Requirements	\$257,588	\$257,589	\$1
Wells Fargo 2010 Debt Service pass through account #300	\$2,898	\$2,898	\$0
Wells Fargo 2010 Debt Service pass through account #308	\$761	\$761	\$0
Total Cash Held in Reserve	\$1,371,792	\$1,372,021	\$228
Total Cash - All Accounts	\$4,446,976	\$4,444,945	-\$2,030

DEBT SERVICE

Net Debt as of Current Reporting Month End (Excludes USDA vehicle and equipment loans)	\$6,633,495
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MUNICIPAL CORPORATION OF CAPE CHARLES

TREASURER'S REPORT

April 30, 2021

REVENUE VS. EXPENDITURES

FUND	CURRENT MONTH	PRIOR YEAR-TO-DATE	CURRENT YEAR-TO-DATE	INCREASE/ (DECREASE) YTD	ANNUAL BUDGET	% REALIZED/ EXPENDED FY21
GENERAL						
REVENUE - Operating	\$267,093	\$2,535,291	\$3,472,916	\$937,625.71	\$4,177,677	83.13%
EXPENDED - Operating	\$230,607	\$2,000,890	\$2,515,929	\$515,039.04	\$3,866,830	65.06%
NET	36,487	534,401	956,988	422,587	310,847	
REVENUE - CAPITAL GRANTS & LOANS	0	2,042	0	(2,042)	329,817	0.00%
EXPENDED - CAPITAL PROJECTS & DEBT SVC	9,901	277,883	499,393	221,509	640,664	77.95%
TRANSFER TO HARBOR TO TRUE UP FUND						
BALANCE	0	0	0	0	0	
TOWN CONTRIB. & PENDING GRANTS	(9,901)	(275,841)	(499,393)	(223,551)	(310,847)	
PUBLIC UTILITIES						
REVENUE - Operating	166,517	1,416,293	1,498,060	81,767	1,750,836	85.56%
EXPENDED - Operating	(42,532)	712,357	455,596	(256,760)	1,604,799	28.39%
NET	209,050	703,936	1,042,463	338,527	146,037	
REVENUE - CAPITAL GRANTS, LOANS, & FACILITY FEES	120,277	227,867	419,860	191,992	275,551	152.37%
EXPENDED - CAPITAL PROJECTS, DEBT SVC, & FACILITY FEES	240,864	701,599	887,539	185,941	421,588	210.52%
TOWN CONTRIB. & PENDING GRANTS	(120,587)	(473,731)	(467,680)	6,051	(146,037)	
HARBOR						
REVENUE - Operating	82,051	479,588	740,817	261,229	761,102	97.33%
EXPENDED - Operating	70,638	517,436	595,391	77,955	681,900	87.31%
NET	11,413	(37,848)	145,426	183,274	79,202	
REVENUE - GRANTS & LOANS	0	131,680	10,586	(121,094)	95,054	11.14%
TRANSFERRED FM GEN FUND TO TRUE UP FUND BALANCE	0	0	0	0	110,101	
EXPENDED - Capital Projects, Debt Svc	0	536,134	240,067	(296,067)	284,357	84.42%
TOWN CONTRIB. & PENDING GRANTS	0	(404,454)	(229,481)	174,973	(79,202)	
SANITATION						
REVENUE	16,903	167,331	169,779	2,448	220,274	77.08%
EXPENDED	17,805	167,316	171,812	4,496	220,274	78.00%
NET	(901)	16	(2,033)	(2,048)	0	

FY 2021 Capital Improvement Project Tracking Report

As of:
4/30/2021

	FY21 Status or Start Date	Percent of Completion	FY21 Budgeted	FY21 QTR 1 Expended	FY21 QTR 2 Expended	FY21 QTR 3 Expended	FY21 QTR 4 Expended	FY21 YTD Expended	(Over)/Under Budget
General Fund									
Police Vehicle	on backorder	0%	\$ 38,940	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 38,940
Permit Department Software	partially installed	0%	\$ 7,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,000
Public Works Shop Heaters	Complete	100%	\$ 6,868	\$ -	\$ 6,528	\$ -	\$ -	\$ 6,528	\$ 340
Grounds Maintenance Equipment	Complete	132%	\$ 22,240	\$ -	\$ -	\$ 29,412	\$ -	\$ 29,412	\$ (7,172)
Central Park Zipline	partially installed	72%	\$ 14,000	\$ -	\$ -	\$ -	\$ 10,031	\$ 10,031	\$ 3,969
Portable ADA Equipped Restroom Trailer	On Hold	0%	\$ 35,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 35,000
Mason Avenue Re-striping	On Hold	0%	\$ 5,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,000
Parking Lots (Mason & Harbor Shanty Area)	Pending	0%	\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,000
Video Surveillance System	Complete	100%	\$ 35,000	\$ -	\$ 56	\$ 34,287	\$ -	\$ 34,343	\$ 657
Municipal Building Project Evaluation	Preliminary process	0%	\$ 45,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 45,000
Multi-Use Trail Phase 2 Closeout	Complete	100%	\$ 305,000	\$ -	\$ -	\$ 308,000	\$ -	\$ 308,000	\$ (3,000)
<i>subtotal</i>			\$ 524,048	\$ -	\$ 6,584	\$ 371,699	\$ 10,031	\$ 388,313	\$ 135,735
Water Fund									
SCADA System	In process	13%	\$ 15,000	\$ -	\$ -	\$ -	\$ 1,927	\$ 1,927.00	\$ 13,073
Remote Read Water Meters - starter setup	On hold- FY22	0%	\$ 51,985	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 51,985
Pickup Truck	back-ordered	0%	\$ 32,766	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 32,766
Water Tower Mixers	On hold	0%	\$ 55,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 55,000
<i>subtotal</i>			\$ 154,751	\$ -	\$ -	\$ -	\$ 1,927	\$ 1,927	\$ 152,824
Harbor Fund									
Inner Harbor Rehabilitation Phase I carryover	Complete	100%	\$ 60,390	\$ 60,390	\$ -	\$ -	\$ -	\$ 60,390	\$ (0)
WiFi/Security Cameras/Lighting Project	Complete	45%	\$ 35,000	\$ -	\$ 8,201	\$ 7,570	\$ -	\$ 15,771	\$ 19,229
Inner Harbor Rehabilitation Phase II	Complete	14%	\$ 85,700	\$ -	\$ 5,359	\$ 6,957	\$ 55	\$ 12,371	\$ 73,329
<i>subtotal</i>			\$ 181,090	\$ 60,390	\$ 13,559	\$ 14,527	\$ 55	\$ 88,532	\$ 92,559
Sanitation Fund									
Trash Can Replacements	Complete	100%	\$ 11,796	\$ -	\$ 11,796	\$ -	\$ -	\$ -	\$ 11,796
<i>subtotal</i>			\$ 11,796	\$ -	\$ 11,796	\$ -	\$ -	\$ -	\$ 11,796
TOTAL			\$ 871,685	\$ 60,390	\$ 31,939	\$ 386,226	\$ 12,013	\$ 478,772	\$ 392,913

*ITEMS WITH CURRENT MONTH ACTIVITY ARE IN BOLD PRINT

MUNICIPAL CORPORATION OF CAPE CHARLES
April 30, 2021

YTD 2020 Real Estate Tax Collections

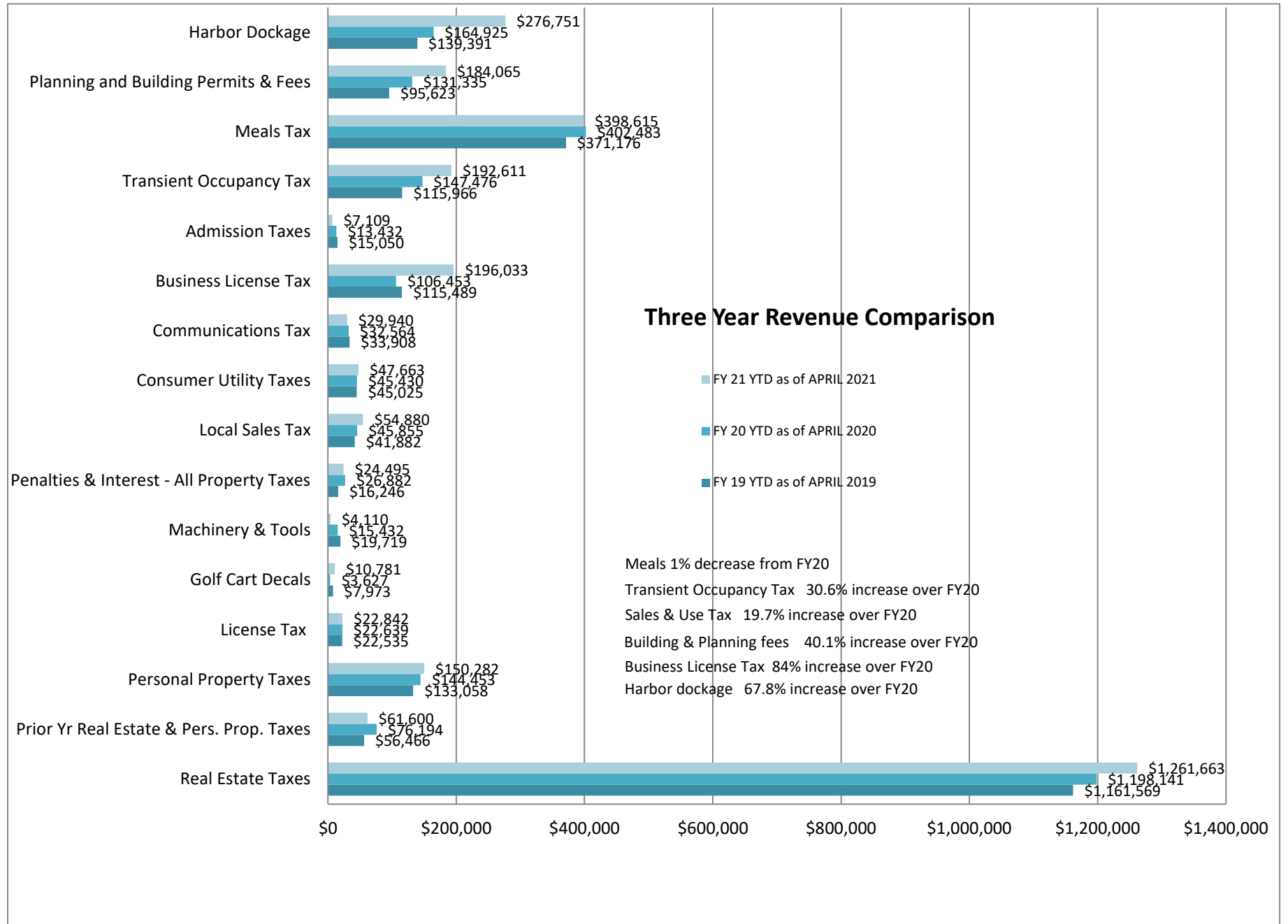
Total Taxable Land Value	179,736,100	
Total Improvement Value	291,966,800	
Exemptions	(2,650,000)	
Additional Assessments (SCC Utility)	3,796,381	
Total Real Estate Value (taxable)	472,849,281	
Total Budgeted	1,223,505	
Total Tax Billed	1,291,310	
Total Adjustments	(3,861)	
Total Collected YTD (percent of billed)	<u>1,261,663</u>	98%
Amount Due per Accounts Receivable	25,786	

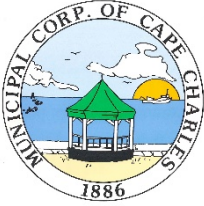
**YTD 2020 Personal Property Tax, Machinery and Tools Tax
& 2020 License Tax Collections**

Total Personal Property Value	13,824,800	
2020 Initial Assessment Exonerations	(393,342)	
Personal Property Value, billed	13,431,458	
Total Budgeted	175,000	
Total Tax Billed less PPTRA	207,905	
Total Adjustments & Additional Exonerations	(9,078)	
Total Collected YTD (percent of billed)	<u>177,234</u>	89%
Amount Due per Accounts Receivable	21,593	

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

Total Budgeted	75,300	
Total Collected (percent of budget)	<u>86,095</u>	114%
Amount Due Per Budget	(10,795)	



 TOWN OF CAPE CHARLES	AGENDA TITLE: Historic District Overlay Zoning Amendments		AGENDA DATE June 17, 2021
	SUBJECT/PROPOSAL/REQUEST: Zoning Amendments to the Historic District Overlay Zoning Ordinance (Article VIII) and accompanying changes to Definitions (Article II)		ITEM NUMBER: 7A
	ATTACHMENTS: Proposed Zoning Amendment Documents (Article VIII & II, which include tracked changes from Planning Commission, dated June 1, 2021)		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Ben Sullivan, Planner Katie Nunez, Interim Zoning Administrator	REVIEWED BY: John Hozey, Town Manager	

BACKGROUND:

On June 1, 2021, the Planning Commission and the Town Council held a joint public hearing on proposed amendments to the Historic District Overlay Zoning Ordinance (Article VIII) and Definitions (Article II). The joint hearing was duly advertised as required in the Eastern Shore News and Eastern Shore Post and available on the Town website under the Planning Commission Agenda.

Said amendments to the Historic District Overlay Zoning Ordinance are proposed pursuant to the Code of Virginia Section 15.2-2306 which authorizes a locality to adopt ordinances for the establishment and maintenance of a historic district.

Two written comments were received and read into the record from Ed Wells and Janet Dudley.

The public hearing was closed to public comments and the Planning Commission conducted a thorough review, discussion and deliberation on the proposed changes to the Historic District Overlay Zoning Ordinance. Any changes proposed by the Planning Commission to the advertised document was done through a motion and vote on each specific change to the language which are listed bellowed in the "ITEM SPECIFICS" Section. Then, a final motion of recommendation was taken on the entire proposed amendments along with any of the proposed changes from the Planning Commission.

ITEM SPECIFICS:

Below is a list of all of the changes (shown in green text additions or green text strikethroughs/deletions) proposed by the Planning Commission to the originally advertised Zoning Text Amendments to Chapter VIII (Historic District Overlay) and Chapter II (Definitions Section).

Article II Definitions:

DESIGN GUIDELINES are those set of ~~guidelines and~~ recommendations adopted pursuant to §8.20 and §9.20 of this Code. ~~Guidelines are parameters which the Historic District Review Board and Harbor Area Review Board will consult when making decisions.~~

NONCONTRIBUTING STRUCTURE ~~means a structure that is not a contributing structure built after 1940-1964 OR which has been altered to such a degree that is no longer representative of the period in which it was built or is in such poor physical condition that its retention is difficult. that is not a contributing structure. (from the Historic District guidelines)~~
are those that were built after 1964 or have been altered to such a degree that they are no longer representative of the period which they were built or are in such poor physical condition that their retention is difficult. The National Register of Historic Places (amended 2019) provides the listing of non-contributing structures and properties. Should a building or structure within the boundaries of the historic district not to be listed in the national register, the building or structure

will be classified as non-contributing.

PERIOD OF SIGNIFICANCE: The National Register of Historic Places recognizes buildings, sites, and districts for their historic significance, and documented that the significance be associated with a discrete chronological period for the Cape Charles Historic District **from 1883 to 1964.**

STANDARDS **are Zoning Ordinance** requirements that are evaluated by the Zoning Administrator or Code Official and not under the discretion of the Historic District Review Board.

Article VIII Historic District Overlay

The full name of the “Cape Charles Historic District Guidelines” needs to be referenced in this document – it is now referenced by full name in Section 8.14 (E) with the revised date of October 2017.

Section 8.3 Inventory of Landmarks and Contributing Properties Established

Amend “period of significance” as follows: Pending further amendment of this ordinance, the period of significance for the Town of Cape Charles will be from the ~~1880’s~~ **1883** to 1964 as delineated in the Cape Charles Historic District National Register of Historic Places (amended 2019).

Section 8.15 Summary of Administrative Review Procedures

- A. Actions related to “Standards” will be exclusively the purview of the Zoning Administrator ~~or the Code Official.~~

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

- H. Additions or deletions to an existing building which are not visible from a public ~~right-of-way and which will not significantly alter the character of the building street or sidewalk.~~
Alleys in this context are not to be considered public places.

Section ~~8.18~~ (move before Section 8.16 and renumber subsequent sections accordingly) Approval of Historic District Review Board Required

8.18.B. Contributing accessory structures will be treated as contributing **primary** structures only under the following conditions:

1. It is on a permanent foundation; and
2. It is of sufficient square footage that a new structure of that type would require a building permit; and
3. It is not being used as, or being considered for, accessory dwelling units. ~~In such cases, the accessory structure will be considered non-contributing.~~

8.18.3.C and 8.18.3.D [which relate to Approval of Historic District Review Board Required - General examples of work constituting "substantial alterations" include] would be deleted as stand alone sections and combined into one new section identified as 8.18.3.C as follows:

- c. ~~Any change or alteration of the exterior architectural style of a structure, including removal or rebuilding of porches, openings, dormers, window sashes, chimneys, columns, structural elements, stairways, terraces, and the like.~~
- d. ~~Any change or alteration of the exterior color scheme of the structure or any of its significant elements, including porches, openings, dormers, window sashes, awnings, canopies, chimneys, columns, stairways, terraces, decks, fences, or any other structural elements. This also applies to all structures on the site.~~

NEW 8.18.3.C – General examples of work constituting “substantial alterations” include:

- c. Any alteration of the exterior architectural style of a structure or its significant elements, some examples being removal or rebuilding of porches, openings, dormers,

window sashes, chimneys, columns, stairways, terraces, decks, fences, or any other structural elements.

8.20 Design Guidelines; Recommendations for Review

- A. The Historic District Review Board shall be guided in its decisions by the design guidelines but must also use independent judgement and discretions to consider the unique characteristics of each request. ~~The board is expected to work with each applicant to assist them in achieving their goal while preserving the character of the district.~~ The board shall utilize the pre-application review process as defined in Section 8.25.A.
- C. The Town Council shall adopt and amend the design guidelines after conducting at least one public hearing pursuant to **§15.2-2204 of the** Code of Virginia.

8.25 Receipt of Application

- D. Require applicants to submit ~~three (3)~~ **one (1) hard copy** and **one (1)** electronic version of material required to permit compliance with the foregoing.

RECOMMENDATION:

The Planning Commission recommends the Town Council to consider the proposed zoning amendments to Article VIII (Historic District Overlay Zoning Ordinance) and Article II (specifically, Definitions) as advertised and as further amended by the list of proposed amendments contained in the section above entitled "ITEM SPECIFICS" and to adopt all of these proposed changes to Article VIII and Article II.

Cape Charles Article II
Definition Changes resulting from Article VIII Revision

April 23, 2021

June 1, 2021

with changes recommended by Planning Commission (& shown in purple text)

ADMINISTRATOR, THE ZONING ADMINISTRATOR, means the official charged with the enforcement of the zoning ordinance. The Administrator may be any appointed or elected official who is by formal resolution designated to the position by the Town Council. The Administrator may serve with or without compensation as determined by the Council.

ALTERATION means any change or rearrangement in the supporting members of an existing building, such as bearing walls, columns, beams, girders, or interior partitions, as well as any exterior change such as in doors, windows, roof, siding, porches, means of ingress or egress, or any enlargement to or diminution of a building or structure, whether horizontally or vertically, or the moving of a building or structure from one location to another.

BUILDING means any structure having a roof supported by walls which is solidly enclosed, including any area which is solidly enclosed with glass or any other rigid material which will not allow for the passage of air.

BUILDING PERMIT means written permission issued by proper authority for the construction, repair, alteration, ~~or~~ addition, restoration, demolition, or razing of all or a part of any building or structure. ~~to a structure.~~

CERTIFICATE OF APPROPRIATENESS is a certificate or other statement indicating approval by the Administrator, the Harbor Area Review Board or the Historic District Review Board as the case may require, of plans for construction, alteration, reconstruction, repair, restoration, demolition, or razing of a building or structure or part thereof.

CONTRIBUTING STRUCTURE OR PROPERTY means a structure, building, or place constructed on or before 1964~~1940~~ OR which has special significance because of notable architectural or historic features relating to the cultural or artistic heritage of the community ~~which are of such importance as to warrant conservation and preservation and whose authentic look and character should be retained.~~ (from 8.38) The National Register of Historic Places (amended 2019) provides the listing of contributing structures and properties. Should a building or structure within the boundaries of the historic district not be listed in the national register, the building or structure will be classified as noncontributing.

DESIGN GUIDELINES are those set of guidelines, standards, and regulation and recommendations adopted pursuant to §8.20 and §9.20 of this Code. ~~Guidelines are parameters within which the Historic District Review Board and Harbor Area Review Board has the discretion to act and make will consult when making decisions.~~

HISTORIC AREA-DISTRICT is an area designated by the ~~state government~~ town within which buildings, structures, appurtenances, and places are of basic and vital importance because of their association with history; or because of their unique architectural style and scale and detail; or because of their being a

Cape Charles Article II
Definition Changes resulting from Article VIII Revision

April 23, 2021

June 1, 2021

with changes recommended by Planning Commission (& shown in purple text)

part of or related to a square, park, or area or general arrangement of which should be preserved and/or developed according to cultural, historical, or architectural motives or purposes.

~~NON-CONTRIBUTING STRUCTURE means a structure built after 1940 1964 OR which has been altered to such a degree that is no longer representative of the period in which it was built or is in such poor physical condition that its retention is difficult. that is not a contributing structure. (from the Historic District guidelines)~~ are those that were built after 1964 or have been altered to such a degree that they are no longer representative of the period which they were built or are in such poor physical condition that their retention is difficult. The National Register of Historic Places (amended 2019) provides the listing of non-contributing structures and properties. Should a building or structure within the boundaries of the historic district not to be listed in the national register, the building or structure will be classified as non-contributing.

PERIOD OF SIGNIFICANCE: The National Register of Historic Places recognizes buildings, sites, and districts for their historic significance, and requires has documented that the that significance be associated with a discrete chronological period for the Cape Charles Historic District from 1883 to 1964.

PRESERVATION is the process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project. However, new exterior additions are not within the scope of this treatment.

RECONSTRUCTION is any or all work needed to remake or rebuild all or part of any building to a sound condition, but not necessarily of original materials. It is the process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location. Reconstruction is different from the other historic treatments in that it is undertaken when there are often no visible historic materials extant or only a foundation remains.

REHABILITATION is the process of making possible a compatible use for a property through repair, alterations, and additions while preserving retaining to the maximum extent practicable those portions or features which convey its historical, cultural, or architectural values.

REPAIRS are any or all work involving the replacement of existing work with equivalent material for the purpose of maintenance, but not including any addition, change, or modification in construction. return to functionality of existing structures or elements with authentic looking materials.

Cape Charles Article II
Definition Changes resulting from Article VIII Revision

[April 23, 2021](#)

[June 1, 2021](#)

[with changes recommended by Planning Commission \(& shown in purple text\)](#)

RESTORATION is any or all work connected with the returning to or restoring of a building or a part of any building to its original condition through the use of original or nearly original materials. It is the process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a restoration project.

STANDARDS are [Zoning Ordinance](#) requirements that are evaluated by the Zoning Administrator [or Code Official](#) and not under the discretion of the Historic District Review Board [or the Harbor Area Review Board](#).

Town of Cape Charles Article VIII Historic District Overlay

“The Cape Charles Historic District encompasses nearly all of the town of Cape Charles as it was originally laid out in 1883-1884 as well as the Sea Cottage addition, an area west of the original limits of the town, that was developed after 1909... The town was originally laid out in an unusual twenty-seven block grid pattern dominated by a central park with four landscaped streets that radiate from the park and serve as a main cross axis for the town’s circulation pattern. No other such plan is known to exist in Virginia.”
- 1989 National Register of Historic Places Registration Form Section 7, page 1.

“An interesting stock of architectural styles in both the residential area and the downtown commercial area contribute an historic style and authenticity. The street patterns, lot configurations and boundaries, which were laid out in an historic grid pattern, have remained largely unaltered, adding to the Town’s historical integrity. Cape Charles’ late nineteenth and early twentieth century character is a key element in the Town’s interest and attractiveness to tourists. The traditional downtown commercial area on Mason Avenue still serves as the commercial center for the Town. It is important that the Town’s historic character be protected, not only for its intrinsic value, but also to contribute to attract and expand tourism in Cape Charles.” – Town of Cape Charles 1999 Comprehensive Plan, page 40.

The Town of Cape Charles participates in the Certified Local Government program and in so doing demonstrates a commitment to keep what is significant from the past for the benefit of future generations. The architectural integrity of existing structures shall be recognized, and future development shall be compatible.

Section 8.1 Purpose of the District

The purpose of this district is to ~~provide for protection guard~~ against destruction or encroachment upon historic areas, buildings, monuments, or other features, or buildings and structures of registered architectural significance which contribute or will contribute to the cultural, social, economic, political, artistic, or architectural heritage of the Town of Cape Charles and the Commonwealth of Virginia. It is also the purpose of the district to preserve the character of the designated historic areas and historic landmarks and other historic or architectural features ~~from destruction, damage, defacement and~~ to ensure that buildings, structures, streets, walkways, or signs shall be erected, reconstructed, altered, or restored so as to be kept architecturally compatible with the character of the historic district.

Section 8.2 Criteria for Establishing Historic Districts--General Character

The boundaries of the Historic District shall in general be drawn to include areas containing buildings or places in which historic events occurred or having special public value because of notable architectural or other features relating to the cultural or artistic heritage of the community, of such significance as to warrant conservation and preservation. The district may include either individual buildings or places of such character, and a reasonable distance beyond, or it may include areas or groupings of structures which have significance relative to their patterns of development or social and economic or architectural interrelationships even though some structures in the area might not possess significant merit when considered alone.

Section 8.3 Inventory of Landmarks and Contributing Properties Established

The Town of Cape Charles has established as part of this ordinance ~~an inventory~~^a map covering the area included in the Historic District, based on the criteria set forth in this ordinance. This map ~~herein after called the inventory map~~ shall be as much a part of this ordinance as if fully described herein ~~and shall be filed as a part of this ordinance by the Town Clerk of the Town of Cape Charles.~~ Pending further amendment of this ordinance, the period of significance for the Town will be from the 1880s 1883 to 1964 as delineated in the Cape Charles Historic District National Register of Historic Places (amended 2019). As identified in the National Register, structures~~Structures~~ or sites designated as properties which contribute to the historic character of the Town shall be known as contributing properties for the purpose of this Ordinance. Structures or sites not designated as landmark or contributing properties shall be known as noncontributing properties. Should a building or structure within the boundaries of the historic district not be listed in the national register, the building or structure will be classified as noncontributing. The ~~inventory~~ map may be amended from time to time in the same manner as the zoning district map.

Section 8.4. Application of the District; Relation to Other Zoning Districts

To enable the district to operate in harmony with the plan for land use and population density embodied in these regulations, the Historic District is created as a special district to be superimposed on other districts contained in these regulations and is to be so designated by a special symbol for its boundaries on the Zoning District Map. The uses, housing types, minimum lot requirements, minimum yard requirements, maximum height, and accessory uses and accessory signs shall be determined by the regulations applicable to the other districts over which the Historic District is superimposed except as these other district regulations may be modified by application of the regulations in the Historic District.

Section 8.5 Permitted Uses

A building or land shall be used only for any use or accessory use permitted in the zoning district in which the premises are situated and upon which the Historic District is superimposed.

Section 8.6 Historic District Review Board; Creation

For the general purposes of this Article as herein stated and specifically to preserve and protect historic places and areas in the Town through the control of demolition of such places and through the regulation of architectural design and uses of structures in such areas, there is created a board known as the Historic District Review Board.

Section 8.7 Historic District Review Board; Membership

The members of the Historic District Review Board shall be appointed by the Town Council. The Membership shall consist of five citizens, at least three of whom shall be residents of the local historic district.

Section 8.8 Historic District Review Board; Terms

Upon approval by the Town Council, members shall be appointed for a term of five years. Appointments to fill vacancies shall be only for the unexpired term. Members may be reappointed to succeed themselves. A member whose term expires shall continue to serve until a successor is appointed and qualifies.

Section 8.9 Historic District Review Board; Qualifications

Members of the Historic District Review Board shall have demonstrated interest and knowledge in the historical and architectural development of the Town and when possible be a licensed architect or engineer, Planning Commission member, or licensed building contractor.

Section 8.10 Historic District Review Board; Organization

The Historic District Review Board shall elect from its own membership a chairman and vice chairman who shall serve annual terms and may succeed themselves. The chairman shall preside over all meetings in addition to having the duties and responsibilities of other members of the Board. The vice chairman shall preside over meetings of the Board in the absence of the chairman.

Section 8.11 Historic District Review Board; Rules

The Board shall meet in regular session on the third Tuesday of every month when an application has been filed requiring consideration. Special meetings of the Board may be called by the chairman or a majority of the members after public notice as required.

Section 8.12 Historic District Review Board; Meetings; Hearings

Written notice of a special meeting is not required if the time of special meeting has been fixed at a regular meeting or if all members are present at a special meeting or file a written waiver of notice. For the conduct of any hearing and the taking of any action, a quorum shall be not less than a majority of all voting members of the Board. The Board may make, alter, or rescind rules and forms for its procedures, consistent with the ordinances of the Town and the general laws of the Commonwealth of Virginia.

Section 8.13 Historic District Review Board; Procedures

The Board shall with the concurrence of the town manager, establish procedures for all matters coming before it for review and all meetings shall be open to the public. The Board will have the right to appeal decisions of the town manager to the Town Council.

Section 8.14 Historic District Review Board; Powers and Duties

The Historic District Review Board shall have the power and authority for issuing or denying Certificates of Appropriateness for construction, reconstruction, substantial exterior alteration, razing, or relocation within the historic district. In addition, the Board shall have the following duties:

- A. To assist and advise the Town Council, the Planning Commission, and other Town departments, agencies, and property owners in matters involving historically significant sites and buildings or other properties in the historic districts such as, but not limited to, appropriate land usage, parking facilities, and signs.

- B. To continuously evaluate conditions and advise owners of historic landmarks or contributing structures or other properties in historic districts on problems of preservation.
- C. To ~~conduct-oversee~~ studies deemed necessary by the Town Council or Planning Commission concerning location of historic districts and means of preservation, utilization, improvement, and maintenance of historic assets in the Town.
- D. To propose additional historic districts or additions or deletions to districts.
- E. To ~~adopt-recommend~~ standards and guidelines for ~~review-adoption by the Town Council~~ to supplement the standards set forth in this Ordinance; the currently adopted guidelines are called "Cape Charles Historic District Guidelines revised October 2017".
- F. To formulate recommendations to the Town Council concerning the establishment of an appropriate system of markers for selected historic sites and buildings, including proposals for the installation and care of such historic markers.
- G. To cooperate with and enlist assistance from the Virginia Department of Historic Resources, the National Trust for Historic Preservation, and other interested parties both public and private in its efforts to preserve, ~~restore, and conserve~~ the character of historic landmarks, buildings, sites, or areas within the Town.

Section 8.15 Summary of Administration Review Procedures

In general, it is the purpose of this ordinance to establish review procedures for actions affecting properties in the Historic District. ~~To this end, some actions are exempted from special historic and architectural review altogether, except as normal review may be necessary for issuance of a building permit. Other actions, depending on the possible consequences thereof, may be reviewed by the Zoning Administrator or by the Historic District Review Board acting with original jurisdiction, or, in the most serious cases, action by the Town Council following action by the Historic District Review Board.~~

- A. Actions related to "Standards" will be exclusively the purview of the Zoning Administrator or Code Official.
- B. Actions related to "Guidelines" will be the purview of the Historic District Review Board, except that guidelines that are relatively straight forward may be delegated to the Zoning Administrator at the discretion of the Historic District Review Board.
- C. -In all cases the decisions of the Zoning Administrator shall be appealed to the Board of Zoning Appeals as stated in §2-2.6.2.C, the decisions of the Historic District Review Board may be appealed to the Town Council, and the final decisions of the Town Council may be appealed to the Circuit Court of Northampton County.

Section 8.16 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 right of way and which will not significantly alter the character of the building 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.

Section 8.17 Delegation of Authority

- A. The Zoning Administrator or Code Official shall have authority to order that work be stopped and that an appropriate application be filed for review by the Historic District Review Board in any case where the action has an adverse effect on the Historic District.
- B. The Historic District Review Board shall periodically review the design guidelines

contained in this section.

Section 8.16 (move as the new Section 8.16 and renumber subsequent sections accordingly) Approval of Historic District Review Board Required

- A. Except as herein otherwise provided in this article, no building or structure, including signs, shall be erected, reconstructed, restored, or substantially altered in exterior appearance and no contributing buildings or structures shall be razed or demolished within a historic district and no permit authorizing same shall be granted unless and until the same is approved by the Historic District Review Board and a Certificate of Appropriateness has been issued by that body, with right of direct appeal to the Town Council as hereinafter provided, as being architecturally compatible with the historical, cultural, and/or architectural aspects of the structure and its surroundings.
- B. Contributing accessory structures will be treated as contributing primary structures only under the following conditions:
1. It is on a permanent foundation; and
 2. It is of sufficient square footage that a new structure of that type would require a building permit; and
 3. It is not being used as, or being considered for, accessory dwelling units. In such cases, the accessory structure will be considered non-contributing.
- C. "Substantial alterations" shall be defined as any and all work done on buildings, structures, or sites in a historic district other than those specifically exempted herein:
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.
 2. Examples of work not constituting "substantial alteration" include those minor actions exempted from review by §8.16 of this article.
 3. General examples of work constituting "substantial alterations" include:
 - a. Construction of a new building at any location or a new permanent accessory building requiring a building permit on a landmark or contributing property or on a site within the Historic District.
 - b. Any addition to or alteration of a building which increases the square footage of the building or otherwise alters substantially its size, height, contour, or outline.
 - c. Any ~~change or~~ alteration of the exterior architectural style of a structure or its significant elements; some examples being, including removal or rebuilding of porches, openings, dormers, window sashes, chimneys, columns, structural elements, stairways, terraces, decks, fences, or any other structural elements, and the like.

- d. ~~Any change or alteration of the exterior color scheme of the structure or any of its significant elements, including porches, openings, dormers, window sashes, awnings, canopies, chimneys, columns, stairways, terraces, decks, fences, or any other structural elements. This also applies to all structures on the site.~~
 - e. Addition to or removal of one or more stories or alteration of a roof line.
 - f. Any other major actions not specifically covered by the terms of this section, but which would have an effect on the character of the historic district.
- D. In any case in which there might be some question as to whether a project may be exempted from review, may constitute a minor action, or may constitute "substantial alteration," the Zoning Administrator shall be contacted for an interpretation prior to commencement of work.

Section 8.19. Certificate of Appropriateness

Evidence of the approval required under the terms of the Historic District shall be a certificate of appropriateness issued by on behalf of the Historic District Review Board, stating that the demolition, moving, or changes in the exterior architectural appearance of the proposed construction, reconstruction, alteration, or restoration for which application has been made are approved by the Historic District Review Board or the Zoning Administrator. The Historic District Review Board may permit modifications of original proposals if such modifications are formally acknowledged, clearly described, and recorded in the records of the case. A certificate of appropriateness shall be in addition to any other permits required. Any action by applicants following issuance of a permit-requiring certificate of appropriateness shall be in accord with the application and material approved and any conditions appended thereto.

Section 8.20 Design Guidelines; Standards-Recommendations for Review

- A. The Historic District Review Board shall be guided in its decisions by the design guidelines, but must also use independent judgement and discretion to consider the unique characteristics of each request. The board is expected to work with each applicant to assist them in achieving their goal while preserving the character of the district. The board shall utilize the pre-application review process as defined in Section 8.25.A.
- B. It shall be the duty of the Historic District Review Board to prepare recommended amendments to the design guidelines.
- C. The Town Council shall adopt and amend the design guidelines after conducting at least one public hearing pursuant to §15.2-2204 of the Code of Virginia.
- D. Separate guidelines shall be developed for all new infill buildings in Cape Charles' historic district. New infill construction will not diminish, detract, or distract from the character of surrounding historic buildings or the overall historic district.
- E. Alterations and additions to non-contributing structures that affect the exterior

appearance of the structure or additions should be compatible with the district following the guidelines for new (infill) construction. Criteria for non-contributing structures may be less restrictive than that applied to contributing structures.

Section 8.21 Demolition: Alternate Procedure: Offer to Sell

A. Prior to approval of any application for demolition, modification, moving, or removal of a contributing structure within the Cape Charles Historic District; the zoning administrator, the Historic District Review Board, or the Town Council, as applicable, shall review the application for its compatibility with each of the following guidelines.

1. Whether or not the contributing structure is of such architectural or historic interest that its removal would be to the detriment of the character and integrity of the Historic District.
2. Whether or not the contributing structure is of such interest or significance that it would qualify as a National, State, or local historic landmark.
3. Whether or not retention of the contributing structure would help to preserve and protect a historic place or area of historic interest in the Town.
4. Whether or not plans for future use of the site after demolition are appropriate, compatible, sympathetic, and complimentary to the character and integrity of the Historic District.

No subsequent application under Section 8.21A regarding the contributing structure may be made until more than one year after a final denial by the Town Council.

B. In addition to the right of appeal herein elsewhere set forth, the owner of a contributing structure in the Cape Charles Historic District shall as a matter of right be entitled to move, remove, modify, raze or demolish all or part of such contributing structure provided that:

1. The owner has applied to the Town Council for such right.
2. The owner has for the applicable period of time set forth in the time schedule in Section 8.21.B.4., and at a price reasonably related to the fair market value of the contributing structure and the land, other improvements and appurtenances pertaining thereto (assuming the buyer will be required to preserve and restore the contributing structure in place on the property) as determined by the average of two (2) real estate appraisals from two (2) different appraisers, made a bona fide, public offer (pursuant to the requirements of this Section 8.21 B.) to sell such contributing structure, and the land, other improvements and appurtenances pertaining thereto (collectively, the "Property"), to the Town and any other person, firm, corporation, government or political subdivision or agency thereof, which gives reasonable assurance that it is willing to preserve and restore the contributing structure in place. If the two (2) required real estate appraisals submitted by the Owner differ by more than ten percent (10%), the owner must have the Property appraised a third time at his own expense by a third real estate appraiser selected by the Town. The bona fide offer to sell must be at a price not more than the average of the two such appraisals that are closest to one another.
3. No bona fide contract, binding upon all parties thereto, shall have been executed for the sale of any such Property thereto, prior to the expiration of the

applicable time period set forth in the time schedule in Section 8.21.B.4. Any appeal which may be taken to the court from the decision of the Town Council, whether instituted by the owner or by any other proper party, notwithstanding the provisions heretofore stated relating to a stay of the decision appealed from, shall not affect the right of the owner to make the bona fide offer to sell referred to above.

4. The time schedule for offers to sell shall be as follows:

- a. Three (3) consecutive months when the offering price is less than twenty-five thousand dollars.
- b. Four (4) consecutive months when the offering price is twenty-five thousand or more but less than forty thousand dollars.
- c. Five (5) consecutive months when the offering price is forty thousand or more but less than fifty-five thousand dollars.
- d. Six (6) consecutive months when the offering price is fifty-five thousand dollars or more but less than seventy-five thousand dollars.
- e. Seven (7) consecutive months when the offering price is seventy-five thousand dollars or more but less than ninety thousand dollars.
- f. Twelve (12) consecutive months when the offering price is ninety thousand dollars or more.

5. Before making a bona fide offer to sell, the owner shall first file a statement with the Zoning Administrator along with the appraisals required by Section 8.21.B.2. The statement shall identify the Property, state the offering price, the date the offer of sale is to begin, the names and addresses of adjacent property owners, and the names and addresses of listing real estate agents, if any. The owner shall be required to maintain the Property in at least its current condition during the term of the public offer. No time period set forth in the time schedule contained in Section 8.21.B.4. shall begin to run until the statement has been filed. Within five (5) business days after receipt of a statement, copies of the statement shall be delivered by the Zoning Administrator to the Town Manager, the Town Council, and the Historic District Review Board. Within thirty (30) days after the receipt of a statement, the Zoning Administrator: (a) shall place notice of the statement once a week for two successive weeks in a newspaper having general circulation in the Town, (b) post a notice of the statement prominently on the Property, and (c) send notice of the offer, accompanied by the statement, to the adjacent property owners by certified or registered mail.

6. During the time period for the offer to sell, the Town may take steps as it deems necessary to preserve the contributing structure in accordance with the purposes of this article. Such steps may include, but are not limited to, consultation with civic groups, public agencies, and interested citizens, recommendations for acquisition of the Property by public or private bodies or agencies, and exploration of the possibility of moving structures or other features on the Property.

7. The fact that an offer to sell a Property is made at a price reasonably related to fair market value as described previously may be questioned by any party who files with the Zoning Administrator, on or before sixty (60) days after the offer for sale has begun, a petition in writing signed by at least twenty-five (25) persons owning real estate within Cape Charles, questioning such valuation. Upon receipt of such a petition, one (1) disinterested real estate appraiser shall be appointed by the petitioners, and the cost of the appraisal shall be borne by the petitioners. Said appraiser shall forthwith make an appraisal of the Property on the same basis as described in B.2. above, and the Town shall use the average of the lower two appraisals to establish fair market value under Section 8.21.B. In the event such valuation indicates that the price at which the applicant offered to sell the Property was at a price that is higher than the Property's fair market value, the offer to sell shall be void and of no force and effect for purposes of satisfying the requirements set forth in this Section 8.21.B.

Section 8.21-22 Maintenance and Repair Required

- A. The purpose of this section is solely to stop demolition by neglect, whereby owners of property in the Historic District allow the structure, or historic attributes of the structure, to become a hazardous building or structure. Any building or structure which is determined to be in such an unsafe condition that it would endanger life or property is governed by Town Code Chapter 18, Article III, Unsafe Buildings or Structures and to under the sole jurisdiction of the Town's Code Official.
- B. All buildings and structures in the Historic District shall be preserved against decay and deterioration and maintained free from structural defects to the extent that such decay, deterioration, or defects may, in the opinion of the Historic District Review Board and Town Council, result in the irreparable deterioration of any exterior appurtenance or architectural feature or produce a detrimental effect upon the character of the district as a whole or upon the life and character of the structure itself, including but not limited to:
1. The deterioration of exterior walls or other vertical supports, including broken doors and windowpanes;
 2. The deterioration of roofs or horizontal members;
 3. The deterioration of exterior chimneys;
 4. The deterioration or crumbling of exterior plaster, wood, or mortar;
 5. The deterioration of any feature so as to create or permit the creation of any hazardous or unsafe condition or conditions.
- B. After notice by the ~~Historic District Review Board~~Zoning Administrator or Code Official by certified mail of specific instances of failure to maintain or repair and of an opportunity to appear before the Historic District Review Board, the owner or person in charge of said structure shall have ninety (90) days to remedy such violation. Thereafter, each day during which there exists any violation of this section shall constitute a separate offense and shall be punishable as provided in this ordinance. In the alternative, if the owner fails to act, the Historic District Review Board may

recommend to the Town Council that the Zoning Administrator, after due notice to the owner, enter the property and make or cause to be made such repairs as are necessary to preserve the integrity and safety of the structure and the reasonable costs thereof shall be placed as a lien against the property.

Section 8.22-23 File of Actions to be Maintained

In order to provide guidance for the consistent application of standards and guidelines, ~~for the improvement of standards and guidelines~~, and for assistance to future applicants and the promotion of consistent policies in guiding applicants toward better standards of design, the Zoning Administrator ~~and the Historic District Review Board~~ shall maintain a file containing a record of all applications ~~brought before them~~, including drawings and photographs pertaining thereto and the decision of the Zoning Administrator or the Historic District Review Board in each case. The file documents shall be complied by the Zoning Administrator, maintained by the Town Clerk, and remain the property of the Town but shall be held available for public review.

Section 8.23-24 Administration; Zoning Administrator

Except as authorized herein the Zoning Administrator or Code Official shall not authorize a permit for any erection, reconstruction, integral exterior facade change, demolition, or razing of a building or structure in the Historic District until the same has been approved by the Historic District Review Board as set forth in the following procedures.

Section 8.24-25 Receipt of Application

Upon receipt of an application by the Zoning Administrator for each permit in the historic district, the Zoning Administrator shall oversee the following:

- A. Pre-application review: Persons considering action that requires a certificate of appropriateness, as set forth in this ordinance, are to request an informal informational meeting with the Zoning Administrator and at least one member of the Historic District Review Board prior to submitting a formal application for a certificate of appropriateness. Requests for such informational meetings can be made to the zoning administrator, who will contact a member of the board. The informational meeting will occur within thirty (30) days of receipt of such a request. The purpose of an informational meeting is to review the design guidelines and standards and the procedures for obtaining a certificate of appropriateness. Neither the applicant nor the zoning administrator/board member(s) shall be bound by any informational meeting or conceptual review. Zoning administrator can use discretion on the need for a pre-application meeting or the inclusion of a board representative depending on the nature of project proposed;
- B. Once accepted by the zoning administrator as a fully completed application, the zoning administrator will~~Forthwith~~ forward to the Historic District Review Board a copy of the application, together with a copy of the site plan and the building plans and specifications filed by the applicant if such application requires the Historic District Review Board to meet and render a decision;
- C. ~~Maintain in his office~~Compile a record of all such applications and of ~~his handling and the~~ final disposition of the same, to be maintained by the Town Clerk;

- D. Require applicants to submit ~~three (3)~~ one (1) hard copy and one electronic version of material required to permit compliance with the foregoing.

Section 8.25-26 Material to be Submitted for Review

By general rule, or by specific request in a particular case, the Historic District Review Board may require submission of any or all of the following in connection with the application: architectural plans, site plans, landscaping plans, construction methods, proposed exterior lighting arrangements, elevations of all portions of structures with important relationships to public view and such other exhibits and reports as are necessary for its determinations. Requests for approval of activities proposed in historic districts shall be accepted only from the record owner of the land involved in such proposal, or ~~his~~ their agent.

Section 8.26-27 Other Approvals Required

The Zoning Administrator will review submitted applications for COA against appropriate zoning requirements before forwarding application to the Historic District Review Board for pre-application review and approval. In any case in which an applicant's proposal also requires the approval of the Board of Zoning Appeals, final action by the Board of Zoning Appeals shall precede final action by the Historic District Review Board. The Board of Zoning Appeals may, however, table a proposal in order to request the comments of the Historic District Review Board. ~~Final~~ In this case, final action by the Historic District Review Board shall be taken prior to consideration of proposals requiring site plan approval.

Section 8.27-28 Action by the Historic District Review Board; Issuance of Certificates of Appropriateness

The Historic District Review Board shall render a decision upon any request or application for a Certificate of Appropriateness within ~~sixty (60)~~ ninety (90) days after the filing of an application accepted as complete. Failure of the Historic District Review Board to render such a decision within said ninety (90) ~~sixty (60)~~ day period, unless such period be extended with the concurrence of the applicant, shall entitle the applicant to proceed as if the Historic District Review Board had granted the Certificate of Appropriateness applied for prior to denying the Certificate of Appropriateness. The Historic District Review Board, on the basis of the review of information received, shall, upon request, indicate to the applicant the changes in plans and specifications, if any, which in the opinion of the Historic District Review Board, would protect and/or preserve the historical aspects of the landmark, building, structure, or district. If the applicant determines that ~~he~~ they will make the suggested changes ~~and does so in writing~~, the Historic District Review Board may issue the Certificate of Appropriateness. Agreed to changes will be so stipulated on the Certificate of Appropriateness.

All conditions required for the approval of a certificate of appropriateness will also be included on the building plan and will be reviewed by the Code Official during routine inspections.

The Zoning Administrator will be responsible for issuance of the Certificate of Appropriateness to the applicant and the Town's Code Official office within five (5) business days. Denials of applications are to be stated in writing to the applicant along with the reasons for such denials by the zoning administrator and issued within five (5) business days. Once a Certificate of Appropriateness is granted, the applicant may obtain permits to start work with the understanding that work may be stopped should an appeal be filed to the board's decision within a 30-day period following approval of the COA, and that the applicant

takes full responsibility to bear whatever consequences result from the appeal's final decision.

Section 8.~~28~~-29 Expiration of Certificates of Appropriateness

Any certificate issued pursuant to this article shall expire of its own limitation twelve (12) months from the date of issuance if the work authorized thereby is not commenced by the end of such twelve (12) month period; and further, any such certificate shall also expire and become null and void if such authorized work is suspended or abandoned for a period of twelve (12) months after being commenced. Any period or periods of time during which the right to use any such certificate is stayed pursuant to this article shall be excluded from the computation of the twelve (12) months.

Section 8.~~29~~-30 Inspection by Administrator After Approval

When a Certificate of Appropriateness has been issued, the Zoning Administrator or Town Building Official shall from time to time inspect the alteration or construction approved by such certificate and shall give prompt notice to the applicant of any work not in accordance with such certificate or violating any ordinances of the Town. The Zoning Administrator or Town Building Official may revoke the certificate or the building permit if violations are not corrected by the applicant in a timely manner.

Section 8.~~30~~-31 Delay of Approval

In the case of a proposal other than for demolition or moving but involving a designated landmark where the Historic District Review Board or, on appeal, the Town Council cannot reach a satisfactory agreement with the owner and where the Historic District Review Board or, on appeal, the Town Council decides such action to be in the public interest and not in conflict with any provision of law, it may delay the effective date of an approval for a period of three (3) months from the date of application or appeal to enable negotiations to be undertaken and completed for acquisition of the property for preservation or public use. Failure of negotiations within this period shall be the equivalent of a denial of the application by the Historic District Review Board or, on appeal, by the Town Council.

Section 8.~~31~~-32 Conditions Imposed by the Historic District Review Board

In approval of any proposal under this section, the Historic District Review Board or, on appeal, the Town Council may limit such approval by such reasonable conditions as the case may require, including but not limited to, the specifications enumerated for conditional uses and for the Town Council.

Section 8.~~32~~-33 Appeals; Decisions of the Historic District Review Board

An appeal from a decision of the Historic District Review Board may be taken to the Town Council by the owner of the property in question or by any party aggrieved and must show that he has an immediate, pecuniary and substantial interest in the litigation, and not a remote or indirect interest, which shall be taken within thirty (30) days after the decision appealed from by filing with the Zoning Administrator the following: a notice of appeal

specifying the grounds thereof; a signed statement listing any personal or business relationship with any general or subcontractors associated with the project under appeal; a signed statement that all real and personal property taxes are current as of the date of the filed appeal notice; a signed statement listing any personal or business relationship or partnership with the property owner(s) associated with the project under appeal; a fee equal in value to the fee paid by the property owner(s) associated with the project under appeal.

The person submitting the appeal shall not be allowed to present any evidence that was not presented to the Historic District Review Board, Council members having any relevant interaction with the applicant shall disclose such interaction prior to considering the appeal.

The Zoning Administrator ~~shall transmit to the Town Council within five (5) days~~ will prepare a document of all the papers constituting the record upon which the action appealed from was taken. The Town Council shall fix a reasonable time for the hearing, give public notice thereof and decide the same within sixty (60) days from the date the person submitted a request for appeal. At the hearing, the appealing party may appear in person or by agent. In exercising its powers, the Town Council may, in conformity with the provisions of this Ordinance, reverse or affirm, wholly or partly, or may modify any order, requirement, decision, or determination appealed from and make such order, requirement, decision or determination as ought to be made and to that end shall have all the powers of the Historic District Review Board.

Section 8.33-34 Appeals; Decisions of the Zoning Administrator

An appeal from a decision of the Zoning Administrator may be taken to the Board of Zoning Appeals by the owner of the property in question or by any party aggrieved and must show that he has an immediate, pecuniary and substantial interest in the litigation, and not a remote or indirect interest, which shall be taken within thirty (30) days after the decision appealed from by filing with the Zoning Administrator the following: a notice of appeal specifying the grounds thereof; a signed statement listing any personal or business relationship with any general or subcontractors associated with the project under appeal; a signed statement that all real and personal property taxes are current as of the date of the filed appeal notice; a signed statement listing any personal or business relationship or partnership with property owner(s) associated with the project under appeal. The Zoning Administrator shall transmit to the Board of Zoning Appeals within five (5) days all the papers constituting the record upon which the action appealed from was taken. The Board of Zoning Appeals shall fix a reasonable time for the meeting, give public notice thereof as required pursuant to §15.2-2204; Code of Virginia, and decide the same within sixty (60) days. At the meeting the party may appear in person or by agent. In exercising its powers, the Board of Zoning Appeals may reverse or affirm, wholly or partly, or may

modify, any order, requirement, decision, or determination appealed from and make such order, requirement, decision or determination as ought to be made.

Section 8.34-35 Appeal to the Circuit Court from a Decision of the Town Council

An appeal from a final decision of the Town Council may be filed with the Circuit Court within thirty (30) days after said decision in the manner prescribed by law by the owner of the property in question, by any party aggrieved and must show that he has an immediate, pecuniary and substantial interest in the litigation, and not a remote or indirect interest, or by the Historic District Review Board. The filing of an appeal shall stay the decision of the Town Council pending the outcome of the appeal to the court, except that the filing of such petition shall not stay the decision of the Town Council if such decision denies the right to

raze or demolish a designated landmark, building, or structure. The court may reverse or modify the decision of the Town Council, in whole or part, if it finds upon review that the decision of the governing body is contrary to law or that its decision is arbitrary and constitutes an abuse of discretion, or it may affirm the decision of the Town Council.

Section 8.35-36 Violations and Penalties

Any violation of this Article and the penalties for all such violations shall be as set forth in §2.4.3 of the Zoning Ordinance.

Section 8.36-37 Definitions

For the purpose of this article, ~~certain~~ terms and words pertaining to the Historic District are hereby defined. ~~The general rules of construction contained in Article II of this Ordinance are applicable to these definitions.~~

~~**ALTERATION** is any change, modification, or addition to a part or all of the exterior of any building or structure.~~

~~**BUILDING** is any enclosed or open structure which is a combination of materials to form a construction for occupancy or use.~~

~~**ADMINISTRATOR, THE ZONING ADMINISTRATOR**, is that person appointed by the Town Council as the individual who issues the permit for the construction, alteration, reconstruction, repair, restoration, demolition, or razing of all or part of any building.~~

~~**BUILDING PERMIT** is an approval statement signed by the Building Permit Office authorizing the construction, alteration, reconstruction, repair, restoration, demolition, or razing of all or a part of any building.~~

~~**CERTIFICATE OF APPROPRIATENESS** is a certificate or other statement indicating approval by the Administrator or the Historic District Review Board as the case may require of plans for construction alteration, reconstruction, repair, restoration, relocation, demolition, or razing of a building or structure or part thereof in a historic district.~~

~~**CONTRIBUTING PROPERTIES** are those properties constructed fifty (50) years or more ago.~~

~~**DESIGN GUIDELINES** are those set of guidelines, standards, and regulations adopted pursuant to §8.20 of this Code.~~

~~**HISTORIC DISTRICT** means an area containing buildings or places in which historic events occurred or having special public value because of notable architectural or other features relating to the cultural or artistic heritage of the community of such significance as to warrant conservation and preservation.~~

~~**HISTORIC LANDMARK** is defined as any building or place listed on the National Register of Historic Places or on the Register of the Virginia Historic Landmarks~~

Commission.

RECONSTRUCTION is any or all work needed to remake or rebuild all or part of any building to a sound condition, but not necessarily of original materials.

REPAIRS are any or all work involving the replacement of existing work with equivalent material for the purpose of maintenance, but not including any addition, change, or modification in construction.

RESTORATION is any or all work connected with the returning to or restoring of a building or a part of any building to its original condition through the use of original or nearly original materials.

This ordinance was duly considered following a required public hearing held on December 11, 2001 and adopted by the Town Council of Cape Charles at its regular session on the same day. All members voted in favor of its adoption: Chris Bannon, Charles Brown, Donald Clarke, James Davis, Dave Flora, and Frank Lewis.

ORDINANCE 20210617A

ADOPTING REVISIONS TO CAPE CHARLES ZONING ORDINANCE ARTICLES II AND VIII

WHEREAS, the Cape Charles Zoning Ordinance is a compilation of ordinances establishing zoning regulations for the Town of Cape Charles and providing for the administration and enforcement of the regulations; and

WHEREAS, the Zoning Ordinance classifies the territory under the Town's jurisdictions into districts and within each district a set of regulations for the use of land, buildings, structures, and their size, construction, etc.; and

WHEREAS, Article II describes definitions for language in the Zoning Ordinance, and Article VIII regulates the Historic District Overlay; and

WHEREAS, for some time there has been discussion regarding the need to update Article VIII and a joint work session was held on April 13, 2021 with the Mayor, Town Council and members of the Planning Commission and Historic District Review Board; and

WHEREAS, the proposed amendments to Articles VIII and II resulted from this joint session and were circulated to the members of the Council, Commission and Board for their review and input; and

WHEREAS, pursuant to Code of Virginia §§ 15.2-2285 and 15.2-2204, after proper notice, a joint public hearing was held with the Town Council and Planning Commission, followed by the Planning Commission's regular meeting for thorough review and deliberation of the proposed revisions; and

WHEREAS, the Planning Commission further amended the language in Articles II and VIII and recommended adoption of the proposed changes as presented for Council review at their June 17, 2021 Regular Meeting; now

THEREFORE, BE IT ORDAINED by the Town Council of Cape Charles, this 17th day of June 2021, that Cape Charles Zoning Ordinance Articles II and VIII be revised per the attached, as may be amended by Council, to become effective immediately.

Adopted by the Town Council of Cape Charles on June 17, 2021.

By: _____
Mayor

ATTEST:

Town Clerk

ARTICLE II – DEFINITIONS

ADMINISTRATOR, THE ZONING ADMINISTRATOR, means the official charged with the enforcement of the zoning ordinance. The Administrator may be any appointed or elected official who is designated to the position by the Town Council. The Administrator may serve with or without compensation as determined by the Council.

ALTERATION means any change or rearrangement in the supporting members of an existing building, such as bearing walls, columns, beams, girders, or interior partitions, as well as any exterior change such as in doors, windows, roof, siding, porches, means of ingress or egress, or any enlargement to or diminution of a building or structure, whether horizontally or vertically, or the moving of a building or structure from one location to another.

BUILDING means any structure having a roof supported by walls which is solidly enclosed, including any area which is solidly enclosed with glass or any other rigid material which will not allow for the passage of air.

BUILDING PERMIT means written permission issued by proper authority for the construction, repair, alteration, addition, restoration, demolition, or razing of all or a part of any building or structure.

CERTIFICATE OF APPROPRIATENESS is a certificate or other statement indicating approval by the Administrator, the Harbor Area Review Board or the Historic District Review Board as the case may require, of plans for construction, alteration, reconstruction, repair, restoration, demolition, or razing of a building or structure or part thereof.

CONTRIBUTING STRUCTURE OR PROPERTY means a structure, building, or place constructed on or before 1964 OR which has special significance because of notable architectural or historic features relating to the cultural or artistic heritage of the community and whose authentic look and character should be retained. The National Register of Historic Places (amended 2019) provides the listing of contributing structures and properties. Should a building or structure within the boundaries of the historic district not be listed in the national register, the building or structure will be classified as noncontributing.

DESIGN GUIDELINES are those set of recommendations adopted pursuant to §8.20 and §9.20 of this Code.

HISTORIC DISTRICT is an area designated by the town within which buildings, structures, appurtenances, and places are of basic and vital importance because of their association with history; or because of their unique architectural style and scale and detail; or because of their being a part of or related to a square, park, or area or general arrangement of which should be preserved and/or developed according to cultural, historical, or architectural motives or purposes.

NONCONTRIBUTING STRUCTURE are those that were built after 1964 or have been altered to such a degree that they are no longer representative of the period which they were built or are in such poor physical condition that their retention is difficult. The National Register of Historic Places (amended

2019) provides the listing of non-contributing structures and properties. Should a building or structure within the boundaries of the historic district not to be listed in the national register, the building or structure will be classified as non-contributing.

PERIOD OF SIGNIFICANCE: The National Register of Historic Places recognizes buildings, sites, and districts for their historic significance, and has documented that the significance be associated with a discrete chronological period for the Cape Charles Historic District from 1883 to 1964.

PRESERVATION is the process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project. However, new exterior additions are not within the scope of this treatment.

RECONSTRUCTION is any or all work needed to remake or rebuild all or part of any building to a sound condition, but not necessarily of original materials. It is the process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location. Reconstruction is different from the other historic treatments in that it is undertaken when there are often no visible historic materials extant or only a foundation remains.

REHABILITATION is the process of making possible a compatible use for a property through repair, alterations, and additions while retaining to the maximum extent practicable those portions or features which convey its historical, cultural, or architectural values.

REPAIRS are any or all work involving the return to functionality of existing structures or elements with authentic looking materials.

RESTORATION is any or all work connected with the returning to or restoring of a building or a part of any building to its original condition through the use of original or nearly original materials. It is the process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a restoration project.

STANDARDS are Zoning Ordinance requirements that are evaluated by the Zoning Administrator or Code Official and not under the discretion of the Historic District Review Board or the Harbor Area Review Board.

ARTICLE VIII. – HISTORIC DISTRICT OVERLAY

“The Cape Charles Historic District encompasses nearly all of the town of Cape Charles as it was originally laid out in 1883-1884 as well as the Sea Cottage addition, an area west of the original limits of the town, that was developed after 1909...The town was originally laid out in an unusual twenty-seven block grid pattern dominated by a central park with four landscaped streets that radiate from the park and serve as a main cross axis for the town’s circulation pattern. No other such plan is known to exist in Virginia.”

- 1989 National Register of Historic Places Registration Form Section 7, page 1.

“An interesting stock of architectural styles in both the residential area and the downtown commercial area contribute an historic style and authenticity. The street patterns, lot configurations and boundaries, which were laid out in an historic grid pattern, have remained largely unaltered, adding to the Town’s historical integrity. Cape Charles’ late nineteenth and early twentieth century character is a key element in the Town’s interest and attractiveness to tourists. The traditional downtown commercial area on Mason Avenue still serves as the commercial center for the Town. It is important that the Town’s historic character be protected, not only for its intrinsic value, but also to contribute to attract and expand tourism in Cape Charles.” – Town of Cape Charles 1999 Comprehensive Plan, page 40.

The Town of Cape Charles participates in the Certified Local Government program and in so doing demonstrates a commitment to keep what is significant from the past for the benefit of future generations. The architectural integrity of existing structures shall be recognized, and future development shall be compatible.

Section 8.1 Purpose of the District

The purpose of this district is to guard against destruction or encroachment upon historic areas, buildings, monuments, or other features, or buildings and structures of registered architectural significance which contribute or will contribute to the cultural, social, economic, political, artistic, or architectural heritage of the Town of Cape Charles and the Commonwealth of Virginia. It is also the purpose of the district to preserve the character of the designated historic areas and historic landmarks and other historic or architectural features and to ensure that buildings, structures, streets, walkways, or signs shall be erected, reconstructed, altered, or restored so as to be kept architecturally compatible with the character of the historic district.

Section 8.2 Criteria for Establishing Historic Districts--General Character

The boundaries of the Historic District shall in general be drawn to include areas containing buildings or places in which historic events occurred or having special public value because of notable architectural or other features relating to the cultural or artistic heritage of the community, of such significance as to warrant conservation and preservation. The district may include either individual buildings or places of such character, and a reasonable distance beyond, or it may include areas or groupings of structures which have significance relative to their patterns of development or social and economic or architectural interrelationships even though some structures in the area might not possess significant merit when considered alone.

Section 8.3 Inventory of Landmarks and Contributing Properties Established

The Town of Cape Charles has established as part of this ordinance a map covering the area included in the Historic District, based on the criteria set forth in this ordinance. This map shall be as much a part of this ordinance as if fully described herein. Pending further amendment of this ordinance, the period of significance for the Town will be from ~~the 1880s~~ 1883 to 1964 as delineated in the Cape Charles Historic District National Register of Historic Places (amended 2019). As identified in the National Register, structures or sites designated as properties which contribute to the historic character of the Town shall be known as contributing properties for the purpose of this Ordinance. Structures or sites not designated as landmark or contributing properties shall be known as noncontributing properties. Should a building or structure within the boundaries of the historic district not be listed in the national register, the building or structure will be classified as noncontributing. The map may be amended from time to time in the same manner as the zoning district map.

Section 8.4. Application of the District; Relation to Other Zoning Districts

To enable the district to operate in harmony with the plan for land use and population density embodied in these regulations, the Historic District is created as a special district to be superimposed on other districts contained in these regulations and is to be so designated by a special symbol for its boundaries on the Zoning District Map. The uses, housing types, minimum lot requirements, minimum yard requirements, maximum height, and accessory uses and accessory signs shall be determined by the regulations applicable to the other districts over which the Historic District is superimposed except as these other district regulations may be modified by application of the regulations in the Historic District.

Section 8.5 Permitted Uses

A building or land shall be used only for any use or accessory use permitted in the zoning district in which the premises are situated and upon which the Historic District is superimposed.

Section 8.6 Historic District Review Board; Creation

For the general purposes of this Article as herein stated and specifically to preserve and protect historic places and areas in the Town through the control of demolition of such places and through the regulation of architectural design and uses of structures in such areas, there is created a board known as the Historic District Review Board.

Section 8.7 Historic District Review Board; Membership

The members of the Historic District Review Board shall be appointed by the Town Council. The Membership shall consist of five citizens, at least three of whom shall be residents of the local historic district.

Section 8.8 Historic District Review Board; Terms

Upon approval by the Town Council, members shall be appointed for a term of five years. Appointments to fill vacancies shall be only for the unexpired term. Members may be reappointed to succeed themselves. A member whose term expires shall continue to serve until a successor is appointed and qualifies.

Section 8.9 Historic District Review Board; Qualifications

Members of the Historic District Review Board shall have demonstrated interest and knowledge in the historical and architectural development of the Town and when possible be a licensed architect or engineer, Planning Commission member, or licensed building contractor.

Section 8.10 Historic District Review Board; Organization

The Historic District Review Board shall elect from its own membership a chairman and vice chairman who shall serve annual terms and may succeed themselves. The chairman shall preside over all meetings in addition to having the duties and responsibilities of other members of the Board. The vice chairman shall preside over meetings of the Board in the absence of the chairman.

Section 8.11 Historic District Review Board; Rules

The Board shall meet in regular session on the third Tuesday of every month when an application has been filed requiring consideration. Special meetings of the Board may be called by the chairman or a majority of the members after public notice as required.

Section 8.12 Historic District Review Board; Meetings; Hearings

Written notice of a special meeting is not required if the time of special meeting has been fixed at a regular meeting or if all members are present at a special meeting or file a written waiver of notice. For the conduct of any hearing and the taking of any action, a quorum shall be not less than a majority of all voting members of the Board. The Board may make, alter, or rescind rules and forms for its procedures, consistent with the ordinances of the Town and the general laws of the Commonwealth of Virginia.

Section 8.13 Historic District Review Board; Procedures

The Board shall, with the concurrence of the town manager, establish procedures for all matters coming before it for review and all meetings shall be open to the public. The Board will have the right to appeal decisions of the town manager to the Town Council.

Section 8.14 Historic District Review Board; Powers and Duties

The Historic District Review Board shall have the power and authority for issuing or denying Certificates of Appropriateness for construction, reconstruction, substantial exterior alteration, razing, or relocation within the historic district. In addition, the Board shall have the following duties:

- A. To assist and advise the Town Council, the Planning Commission, and other Town departments, agencies, and property owners in matters involving historically significant sites and buildings or other properties in the historic districts such as, but not limited to, appropriate land usage, parking facilities, and signs.
- B. To continuously evaluate conditions and advise owners of historic landmarks or contributing structures or other properties in historic districts on problems of preservation.
- C. To oversee studies deemed necessary by the Town Council or Planning Commission concerning location of historic districts and means of preservation, utilization, improvement, and maintenance of historic assets in the Town.
- D. To propose additional historic districts or additions or deletions to districts.

- E. To recommend standards and guidelines for adoption by the Town Council to supplement the standards set forth in this Ordinance; the currently adopted guidelines are called “Cape Charles Historic District Guidelines revised October 2017.”
- F. To formulate recommendations to the Town Council concerning the establishment of an appropriate system of markers for selected historic sites and buildings, including proposals for the installation and care of such historic markers.
- G. To cooperate with and enlist assistance from the Virginia Department of Historic Resources, the National Trust for Historic Preservation, and other interested parties both public and private in its efforts to preserve the character of historic landmarks, buildings, sites, or areas within the Town.

Section 8.15 Summary of Administration Review Procedures

In general, it is the purpose of this ordinance to establish review procedures for actions affecting properties in the Historic District.

- A. Actions related to “Standards” will be exclusively the purview of the Zoning Administrator.
- B. Actions related to “Guidelines” will be the purview of the Historic District Review Board, except that guidelines that are relatively straight forward may be delegated to the Zoning Administrator at the discretion of the Historic District Review Board.
- C. In all cases the decisions of the Zoning Administrator shall be appealed to the Board of Zoning Appeals as stated in §2-2.6.2.C, the decisions of the Historic District Review Board may be appealed to the Town Council, and the final decisions of the Town Council may be appealed to the Circuit Court of Northampton County.

Section 8.16 Approval of Historic District Review Board Required

- A. Except as herein otherwise provided in this article, no building or structure, including signs, shall be erected, reconstructed, restored, or substantially altered in exterior appearance and no contributing buildings or structures shall be razed or demolished within a historic district and no permit authorizing same shall be granted unless and until the same is approved by the Historic District Review Board and a Certificate of Appropriateness has been issued by that body, with right of direct appeal to the Town Council as hereinafter provided, as being architecturally compatible with the historical, cultural, and/or architectural aspects of the structure and its surroundings.
- B. Contributing accessory structures will be treated as contributing structures only under the following conditions:
 - 1. It is on a permanent foundation; and
 - 2. It is of sufficient square footage that a new structure of that type would require a building permit; and
 - 3. It is not being used as, or being considered for, accessory dwelling units.
- C. "Substantial alterations" shall be defined as any and all work done on buildings, structures, or sites in a historic district other than those specifically exempted herein:

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.
2. Examples of work not constituting "substantial alteration" include those minor actions exempted from review by §8.16 of this article.
3. General examples of work constituting "substantial alterations" include:
 - a. Construction of a new building at any location or a new permanent accessory building requiring a building permit on a landmark or contributing property or on a site within the Historic District.
 - b. Any addition to or alteration of a building which increases the square footage of the building or otherwise alters substantially its size, height, contour, or outline.
 - c. Any alteration of the exterior architectural style of a structure or its significant elements; some examples being removal or rebuilding of porches, openings, dormers, window sashes, chimneys, columns, stairways, terraces, decks, fences, or any other structural elements.
 - d. Addition to or removal of one or more stories or alteration of a roof line.
 - e. Any other major actions not specifically covered by the terms of this section, but which would have an effect on the character of the historic district.
- D. In any case in which there might be some question as to whether a project may be exempted from review, may constitute a minor action, or may constitute "substantial alteration," the Zoning Administrator shall be contacted for an interpretation prior to commencement of work.

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 administered 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.

Section 8.18 Delegation of Authority

- A. The Zoning Administrator or Code Official shall have authority to order that work be stopped and that an appropriate application be filed for review by the Historic District Review Board in any case where the action has an adverse effect on the Historic District.
- B. The Historic District Review Board shall periodically review the design guidelines contained in this section.

Section 8.19. Certificate of Appropriateness

Evidence of the approval required under the terms of the Historic District shall be a certificate of appropriateness issued on behalf of the Historic District Review Board, stating that the demolition, moving, or changes in the exterior architectural appearance of the proposed construction, reconstruction, alteration, or restoration for which application has been made are approved by the Historic District Review Board or the Zoning Administrator. The Historic District Review Board may permit modifications of original proposals if such modifications are formally acknowledged, clearly described,

and recorded in the records of the case. A certificate of appropriateness shall be in addition to any other permits required. Any action by applicants following issuance of a permit-requiring certificate of appropriateness shall be in accord with the application and material approved and any conditions appended thereto.

Section 8.20 Design Guidelines; Recommendations for Review

- A. The Historic District Review Board shall be guided in its decisions by the design guidelines but must also use independent judgement and discretion to consider the unique characteristics of each request. The board shall utilize the pre-application review process as defined in Section 8.25.A.
- B. It shall be the duty of the Historic District Review Board to prepare recommended amendments to the design guidelines.
- C. The Town Council shall adopt and amend the design guidelines after conducting atleast one public hearing pursuant to §15.2-2204 of the Code of Virginia.
- D. Separate guidelines shall be developed for all new infill buildings in Cape Charles' historic district. New infill construction will not diminish, detract, or distract from the character of surrounding historic buildings or the overall historic district.
- E. Alterations and additions to non-contributing structures that affect the exterior appearance of the structure or additions should be compatible with the district following the guidelines for new (infill) construction. Criteria for non-contributing structures may be less restrictive than that applied to contributing structures.

Section 8.21 Demolition: Alternate Procedure: Offer to Sell

- A. Prior to approval of any application for demolition, modification, moving, or removal of a contributing structure within the Cape Charles Historic District; the zoning administrator, the Historic District Review Board, or the Town Council, as applicable, shall review the application for its compatibility with each of the following guidelines.
 - 1. Whether or not the contributing structure is of such architectural or historic interest that its removal would be to the detriment of the character and integrity of the Historic District.
 - 2. Whether or not the contributing structure is of such interest or significance that it would qualify as a National, State, or local historic landmark.
 - 3. Whether or not retention of the contributing structure would help to preserve and protect a historic place or area of historic interest in the Town.
 - 4. Whether or not plans for future use of the site after demolition are appropriate, compatible, sympathetic, and complimentary to the character and integrity of the Historic District.

No subsequent application under Section 8.21A regarding the contributing structure may be made until more than one year after a final denial by the Town Council.

- B. In addition to the right of appeal herein elsewhere set forth, the owner of a contributing structure in the Cape Charles Historic District shall as a matter of right be entitled to move, remove, modify, raze or demolish all or part of such contributing structure provided that:
1. The owner has applied to the Town Council for such right.
 2. The owner has for the applicable period of time set forth in the time schedule in Section 8.21.B.4., and at a price reasonably related to the fair market value of the contributing structure and the land, other improvements and appurtenances pertaining thereto (assuming the buyer will be required to preserve and restore the contributing structure in place on the property) as determined by the average of two (2) real estate appraisals from two (2) different appraisers, made a bona fide, public offer (pursuant to the requirements of this Section 8.21 B.) to sell such contributing structure, and the land, other improvements and appurtenances pertaining thereto (collectively, the "Property"), to the Town and any other person, firm, corporation, government or political subdivision or agency thereof, which gives reasonable assurance that it is willing to preserve and restore the contributing structure in place. If the two (2) required real estate appraisals submitted by the Owner differ by more than ten percent (10%), the owner must have the Property appraised a third time at his own expense by a third real estate appraiser selected by the Town. The bona fide offer to sell must be at a price not more than the average of the two such appraisals that are closest to one another.
 3. No bona fide contract, binding upon all parties thereto, shall have been executed for the sale of any such Property thereto, prior to the expiration of the applicable time period set forth in the time schedule in Section 8.21.B.4. Any appeal which may be taken to the court from the decision of the Town Council, whether instituted by the owner or by any other proper party, notwithstanding the provisions heretofore stated relating to a stay of the decision appealed from, shall not affect the right of the owner to make the bona fide offer to sell referred to above.
 4. The time schedule for offers to sell shall be as follows:
 - a. Three (3) consecutive months when the offering price is less than twenty-five thousand dollars.
 - b. Four (4) consecutive months when the offering price is twenty-five thousand or more but less than forty thousand dollars.
 - c. Five (5) consecutive months when the offering price is forty thousand or more but less than fifty-five thousand dollars.
 - d. Six (6) consecutive months when the offering price is fifty-five thousand dollars or more but less than seventy-five thousand dollars.
 - e. Seven (7) consecutive months when the offering price is seventy-five thousand dollars or more but less than ninety thousand dollars.
 - f. Twelve (12) consecutive months when the offering price is ninety thousand dollars or more.
 5. Before making a bona fide offer to sell, the owner shall first file a statement with the Zoning Administrator along with the appraisals required by Section 8.21.B.2. The statement shall

identify the Property, state the offering price, the date the offer of sale is to begin, the names and addresses of adjacent property owners, and the names and addresses of listing real estate agents, if any. The owner shall be required to maintain the Property in at least its current condition during the term of the public offer. No time period set forth in the time schedule contained in Section 8.21.B.4. shall begin to run until the statement has been filed. Within five (5) business days after receipt of a statement, copies of the statement shall be delivered by the Zoning Administrator to the Town Manager, the Town Council, and the Historic District Review Board. Within thirty (30) days after the receipt of a statement, the Zoning Administrator: (a) shall place notice of the statement once a week for two successive weeks in a newspaper having general circulation in the Town, (b) post a notice of the statement prominently on the Property, and (c) send notice of the offer, accompanied by the statement, to the adjacent property owners by certified or registered mail.

6. During the time period for the offer to sell, the Town may take steps as it deems necessary to preserve the contributing structure in accordance with the purposes of this article. Such steps may include, but are not limited to, consultation with civic groups, public agencies, and interested citizens, recommendations for acquisition of the Property by public or private bodies or agencies, and exploration of the possibility of moving structures or other features on the Property.
7. The fact that an offer to sell a Property is made at a price reasonably related to fair market value as described previously may be questioned by any party who files with the Zoning Administrator, on or before sixty (60) days after the offer for sale has begun, a petition in writing signed by at least twenty-five (25) persons owning real estate within Cape Charles, questioning such valuation. Upon receipt of such a petition, one (1) disinterested real estate appraiser shall be appointed by the petitioners, and the cost of the appraisal shall be borne by the petitioners. Said appraiser shall forthwith make an appraisal of the Property on the same basis as described in B.2. above, and the Town shall use the average of the lower two appraisals to establish fair market value under Section 8.21.B. In the event such valuation indicates that the price at which the applicant offered to sell the Property was at a price that is higher than the Property's fair market value, the offer to sell shall be void and of no force and effect for purposes of satisfying the requirements set forth in this Section 8.21.B.

Section 8.22 Maintenance and Repair Required

- A. The purpose of this section is solely to stop demolition by neglect, whereby owners of property in the Historic District allow the structure, or historic attributes of the structure, to become a hazardous building or structure. Any building or structure which is determined to be in such an unsafe condition that it would endanger life or property is governed by Town Code Chapter 18, Article III, Unsafe Buildings or Structures and to under the sole jurisdiction of the Town's Code Official.
- B. All buildings and structures in the Historic District shall be preserved against decay and deterioration and maintained free from structural defects to the extent that such decay, deterioration, or defects may, in the opinion of the Historic District Review Board and Town Council, result in the irreparable deterioration of any exterior appurtenance or architectural feature or produce a detrimental effect upon the character of the district as a whole or upon the life and character of the structure itself, including but not limited to:
 1. The deterioration of exterior walls or other vertical supports, including broken doors and windowpanes;

2. The deterioration of roofs or horizontal members;
 3. The deterioration of exterior chimneys;
 4. The deterioration or crumbling of exterior plaster, wood, or mortar;
 5. The deterioration of any feature so as to create or permit the creation of any hazardous or unsafe condition or conditions.
- C. After notice by the Zoning Administrator or Code Official by certified mail of specific instances of failure to maintain or repair and of an opportunity to appear before the Historic District Review Board, the owner or person in charge of said structure shall have ninety (90) days to remedy such violation. Thereafter, each day during which there exists any violation of this section shall constitute a separate offense and shall be punishable as provided in this ordinance. In the alternative, if the owner fails to act, the Historic District Review Board may recommend to the Town Council that the Zoning Administrator, after due notice to the owner, enter the property and make or cause to be made such repairs as are necessary to preserve the integrity and safety of the structure and the reasonable costs thereof shall be placed as a lien against the property.

Section 8.23 File of Actions to be Maintained

In order to provide guidance for the consistent application of standards and guidelines, and for assistance to future applicants and the promotion of consistent policies in guiding applicants toward better standards of design, the Zoning Administrator shall maintain a file containing a record of all applications, including drawings and photographs pertaining thereto and the decision of the Zoning Administrator or the Historic District Review Board in each case. The file documents shall be compiled by the Zoning Administrator, maintained by the Town Clerk, and remain the property of the Town but shall be held available for public review.

Section 8.24 Administration; Zoning Administrator

Except as authorized herein the Zoning Administrator or Code Official shall not authorize a permit for any erection, reconstruction, integral exterior facade change, demolition, or razing of a building or structure in the Historic District until the same has been approved by the Historic District Review Board as set forth in the following procedures.

Section 8.25 Receipt of Application

Upon receipt of an application by the Zoning Administrator for each permit in the historic district, the Zoning Administrator shall oversee the following:

- A. Pre-application review: Persons considering action that requires a certificate of appropriateness, as set forth in this ordinance, are to request an informal informational meeting with the Zoning Administrator and at least one member of the Historic District Review Board prior to submitting a formal application for a certificate of appropriateness. Requests for such informational meetings can be made to the zoning administrator, who will contact a member of the board. The informational meeting will occur within thirty (30) days of receipt of such a request. The purpose

of an informational meeting is to review the design guidelines and standards and the procedures for obtaining a certificate of appropriateness. Neither the applicant nor the zoning administrator/board member(s) shall be bound by any informational meeting or conceptual review. Zoning administrator can use discretion on the need for a pre-application meeting or the inclusion of a board representative depending on the nature of project proposed;

- B. Once accepted by the zoning administrator as a fully completed application, the zoning administrator will forward to the Historic District Review Board a copy of the application, together with a copy of the site plan and the building plans and specifications filed by the applicant if such application requires the Historic District Review Board to meet and render a decision;
- C. Compile a record of all such applications and of the final disposition of the same, to be maintained by the Town Clerk;
- D. Require applicants to submit one (1) hard copy and one electronic version of material required to permit compliance with the foregoing.

Section 8.26 Material to be Submitted for Review

By general rule, or by specific request in a particular case, the Historic District Review Board may require submission of any or all of the following in connection with the application: architectural plans, site plans, landscaping plans, construction methods, proposed exterior lighting arrangements, elevations of all portions of structures with important relationships to public view and such other exhibits and reports as are necessary for its determinations. Requests for approval of activities proposed in historic districts shall be accepted only from the record owner of the land involved in such proposal, or their agent.

Section 8.27 Other Approvals Required

The Zoning Administrator will review submitted applications for COA against appropriate zoning requirements before forwarding application to the Historic District Review Board for pre-application review and approval. In any case in which an applicant's proposal also requires the approval of the Board of Zoning Appeals, final action by the Board of Zoning Appeals shall precede final action by the Historic District Review Board. The Board of Zoning Appeals may, however, table a proposal in order to request the comments of the Historic District Review Board. In this case, final action by the Historic District Review Board shall be taken prior to consideration of proposals requiring site plan approval.

Section 8.28 Action by the Historic District Review Board; Issuance of Certificates of Appropriateness

The Historic District Review Board shall render a decision upon any request or application for a Certificate of Appropriateness within ninety (90) days after the filing of an application accepted as complete. Failure of the Historic District Review Board to render such a decision within said ninety (90) day period, unless such period be extended with the concurrence of the applicant, shall entitle the applicant to proceed as if the Historic District Review Board had granted the Certificate of Appropriateness applied for prior to denying the Certificate of Appropriateness. The Historic District Review Board, on the basis of the review of information received, shall, upon request, indicate to the applicant the changes in plans and specifications, if any, which in the opinion of the Historic District Review Board, would protect and/or preserve the historical aspects of the landmark, building, structure,

or district. If the applicant determines that they will make the suggested changes, the Historic District Review Board may issue the Certificate of Appropriateness. Agreed to changes will be so stipulated on the Certificate of Appropriateness.

All conditions required for the approval of a certificate of appropriateness will also be included on the building plan and will be reviewed by the Code Official during routine inspections.

The Zoning Administrator will be responsible for issuance of the Certificate of Appropriateness to the applicant and the Town's Code Official office within five (5) business days. Denials of applications are to be stated in writing to the applicant along with the reasons for such denials by the zoning administrator and issued within five (5) business days. Once a Certificate of Appropriateness is granted, the applicant may obtain permits to start work with the understanding that work may be stopped should an appeal be filed to the board's decision within a 30-day period following approval of the COA, and that the applicant takes full responsibility to bear whatever consequences result from the appeal's final decision.

Section 8.29 Expiration of Certificates of Appropriateness

Any certificate issued pursuant to this article shall expire of its own limitation twelve (12) months from the date of issuance if the work authorized thereby is not commenced by the end of such twelve (12) month period; and further, any such certificate shall also expire and become null and void if such authorized work is suspended or abandoned for a period of twelve (12) months after being commenced. Any period or periods of time during which the right to use any such certificate is stayed pursuant to this article shall be excluded from the computation of the twelve (12) months.

Section 8.30 Inspection by Administrator After Approval

When a Certificate of Appropriateness has been issued, the Zoning Administrator or Town Building Official shall from time to time inspect the alteration or construction approved by such certificate and shall give prompt notice to the applicant of any work not in accordance with such certificate or violating any ordinances of the Town. The Zoning Administrator or Town Building Official may revoke the certificate or the building permit if violations are not corrected by the applicant in a timely manner.

Section 8.31 Delay of Approval

In the case of a proposal other than for demolition or moving but involving a designated landmark where the Historic District Review Board or, on appeal, the Town Council cannot reach a satisfactory agreement with the owner and where the Historic District Review Board or, on appeal, the Town Council decides such action to be in the public interest and not in conflict with any provision of law, it may delay the effective date of an approval for a period of three (3) months from the date of application or appeal to enable negotiations to be undertaken and completed for acquisition of the property for preservation or public use. Failure of negotiations within this period shall be the equivalent of a denial of the application by the Historic District Review Board or, on appeal, by the Town Council.

Section 8.32 Conditions Imposed by the Historic District Review Board

In approval of any proposal under this section, the Historic District Review Board or, on appeal, the Town Council may limit such approval by such reasonable conditions as the case may require, including but not limited to, the specifications enumerated for conditional uses and for the Town Council.

Section 8.33 Appeals; Decisions of the Historic District Review Board

An appeal from a decision of the Historic District Review Board may be taken to the Town Council by the owner of the property in question or by any party aggrieved and must show that he has an immediate,

pecuniary and substantial interest in the litigation, and not a remote or indirect interest, which shall be taken within thirty (30) days after the decision appealed from by filing with the Zoning Administrator the following: a notice of appeal specifying the grounds thereof; a signed statement listing any personal or business relationship with any general or subcontractors associated with the project under appeal; a signed statement that all real and personal property taxes are current as of the date of the filed appeal notice; a signed statement listing any personal or business relationship or partnership with the property owner(s) associated with the project under appeal; a fee equal in value to the fee paid by the property owner(s) associated with the project under appeal. The person submitting the appeal shall not be allowed to present any evidence that was not presented to the Historic District Review Board, Council members having any relevant interaction with the applicant shall disclose such interaction prior to considering the appeal. The Zoning Administrator will prepare a document of all the papers constituting the record upon which the action appealed from was taken. The Town Council shall fix a reasonable time for the hearing, give public notice thereof and decide the same within sixty (60) days from the date the person submitted a request for appeal. At the hearing, the appealing party may appear in person or by agent. In exercising its powers, the Town Council may, in conformity with the provisions of this Ordinance, reverse or affirm, wholly or partly, or may modify any order, requirement, decision, or determination appealed from and make such order, requirement, decision or determination as ought to be made and to that end shall have all the powers of the Historic District Review Board.

Section 8.34 Appeals; Decisions of the Zoning Administrator

An appeal from a decision of the Zoning Administrator may be taken to the Board of Zoning Appeals by the owner of the property in question or by any party aggrieved and must show that he has an immediate, pecuniary and substantial interest in the litigation, and not a remote or indirect interest, which shall be taken within thirty (30) days after the decision appealed from by filing with the Zoning Administrator the following: a notice of appeal specifying the grounds thereof; a signed statement listing any personal or business relationship with any general or subcontractors associated with the project under appeal; a signed statement that all real and personal property taxes are current as of the date of the filed appeal notice; a signed statement listing any personal or business relationship or partnership with property owner(s) associated with the project under appeal. The Zoning Administrator shall transmit to the Board of Zoning Appeals within five (5) days all the papers constituting the record upon which the action appealed from was taken. The Board of Zoning Appeals shall fix a reasonable time for the meeting, give public notice thereof as required pursuant to §15.2-2204; Code of Virginia, and decide the same within sixty (60) days. At the meeting the party may appear in person or by agent. In exercising its powers, the Board of Zoning Appeals may reverse or affirm, wholly or partly, or may modify, any order, requirement, decision, or determination appealed from and make such order, requirement, decision or determination as ought to be made.

Section 8.35 Appeal to the Circuit Court from a Decision of the Town Council

An appeal from a final decision of the Town Council may be filed with the Circuit Court within thirty (30) days after said decision in the manner prescribed by law by the owner of the property in question, by any party aggrieved and must show that he has an immediate, pecuniary and substantial interest in the litigation, and not a remote or indirect interest, or by the Historic District Review Board. The filing of an appeal shall stay the decision of the Town Council pending the outcome of the appeal to the court, except that the filing of such petition shall not stay the decision of the Town Council if such decision denies the right to raze or demolish a designated landmark, building, or structure. The court may reverse or modify the decision of the Town Council, in whole or part, if it finds upon review that the decision of

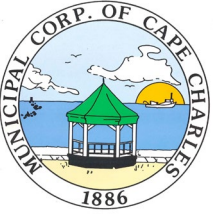
the governing body is contrary to law or that its decision is arbitrary and constitutes an abuse of discretion, or it may affirm the decision of the Town Council.

Section 8.36 Violations and Penalties

Any violation of this Article and the penalties for all such violations shall be as set forth in §2.4.3 of the Zoning Ordinance.

Section 8.37 Definitions

For the purpose of this article, terms and words pertaining to the Historic District are defined in Article II of this Ordinance.

 TOWN OF CAPE CHARLES	AGENDA TITLE: Code 42.3 – Adoption of State Law		AGENDA DATE: June 17, 2021
	SUBJECT/PROPOSAL/REQUEST: Adopt Ordinance 20210603C 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 42-Motor Vehicles and Traffic		ITEM NUMBER: 8A
	ATTACHMENTS: Ordinance 20210617B		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 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 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 20210617B 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 42-Motor Vehicles and Traffic by roll call vote.

ORDINANCE NO: 20210617B

**AN ORDINANCE 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 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; 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

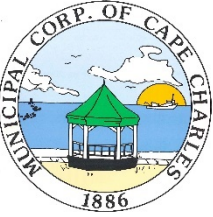
THEREFORE, BE IT ORDAINED: That pursuant to the authority of the Code of Virginia, 1950, as amended, § 46.2-1313, all of the provisions and requirements of the laws of the Commonwealth contained in Code of Virginia, Title 46.2 and Code of Virginia, Article 9 (§ 16.1-278 et seq.) of Chapter 11 of Title 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, 2021.

Adopted by the Town Council of Cape Charles on June 17, 2021.

Mayor William Dize

ATTEST:

Town Clerk

 TOWN OF CAPE CHARLES	AGENDA TITLE: Amended Policy re: Electronic Participation in a Town Council Meeting		AGENDA DATE: June 17, 2021
	SUBJECT/PROPOSAL/REQUEST: Review and adoption of amended policy regarding electronic participation in meetings due to Virginia General Assembly revisions to Code of Virginia § 2.2-3708.2		ITEM NUMBER: #8B
	ATTACHMENTS: Proposed Amendment to Town of Cape Charles Electronic Participation in Town Council Meetings Policy		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Libby Hume	REVIEWED BY: John Hozey, Town Manager	

ITEM SPECIFICS:

On October 18, 2018, the Town Council adopted a written policy regarding electronic participation in Town Council meetings pursuant to Code of Virginia § 2.2-3708.2.

During the 2021 Special Session, the General Assembly amended this section adding a provision for members of the public body to participate electronically in meetings due to a family member's medical condition that required the member to provide care for such family member, preventing the member's physical attendance. The number of permitted meetings was amended to two meetings per calendar year, which is the current permissible number, "*or 25 percent of the meetings held per calendar year rounded up to the next whole number.*" The bill was signed by Governor Northam on February 25, 2021, effective July 1, 2021.

Code of Virginia § 2.2-3708.2 requires the public bodies to adopt a written policy allowing for and governing participation of its members by electronic communication means, including an approval process for participation. Once adopted, the policy must be applied strictly and uniformly, without exception.

Due to the recent amendments to Code of Virginia § 2.2-3708.2, the Town's written policy must also be amended.

RECOMMENDATION:

Staff requests Council review and, if deemed appropriate, adoption of the amended Town of Cape Charles Electronic Participation in Town Council Meetings Policy.

Town of Cape Charles
Electronic Participation in Town Council Meetings Policy
(Amended Effective July 1, 2021)

On October 18, 2018, the Cape Charles Town Council adopted a policy regulating remote electronic participation in Town Council Meetings as governed by Code of Virginia § 2.2-3708.2. The provisions in this section were amended by the Virginia General Assembly on February 25, 2021, effective July 1, 2021, necessitating an amendment to the Town's policy.

The following provisions that qualify for remote electronic participation in meetings: i) a temporary or permanent disability or other medical condition that prevents the member's physical attendance; ii) a family member's medical condition that requires the member to provide care for such family member; thereby preventing the member's physical attendance; or iii) a personal matter.

1. On or before the day of a meeting, the Town Council member shall notify the mayor that he/she is unable to attend the meeting due to:
 - a. A temporary or permanent disability or other medical condition. The minutes of the meeting shall include the fact that the member participated through electronic communication means due to a temporary or permanent disability or other medical condition that prevented the member's physical attendance, along with the remote location from which the absent member participated.
 - b. A family member's medical condition. The minutes of the meeting shall include the fact that the member participated through electronic communication means due to a family member's medical condition that required the member to provide care for such family member, preventing the member's physical attendance, along with the remote location from which the absent member participated.
 - c. A personal matter. The member must specifically identify the nature of the personal matter which shall be recorded in the minutes of the meeting, along with the remote location from which the absent member participated.
 - i. Participation by a member pursuant to this subdivision is limited to two meetings per calendar year or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater.
2. A quorum of the Council must be physically assembled at the primary meeting location.
3. The Council members present at the physical location must approve the electronic participation by a majority vote.
 - a. If the absent member's remote participation is disapproved because such participation would violate this policy, such disapproval shall be recorded in the minutes of the meeting.
4. Arrangements must be made for the voice of the remote participant to be heard by all persons at the primary meeting location.

Adopted by the Town Council of Cape Charles on June 17, 2021.

By: _____
Mayor Dize

ATTEST:

Town Clerk

Certification

I hereby certify that the above policy was duly adopted by the Governing Body of the Town of Cape Charles in a duly assembled meeting on the 17th day of June 2021, by _____ vote.

In favor:

Opposed:

Town Clerk

 TOWN OF CAPE CHARLES	AGENDA TITLE: July Town Council Regular Meeting Date Change		AGENDA DATE: June 17, 2021
	SUBJECT/PROPOSAL/REQUEST: Reschedule July Town Council Regular Meeting		ITEM NUMBER: 8C
	ATTACHMENTS: Resolution 20210617A		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Libby Hume	REVIEWED BY: John Hozey, Town Manager	

ITEM SPECIFICS:

The July Town Council Regular Meeting is currently scheduled for July 15, 2021.

A joint public hearing with the Planning Commission has been scheduled for July 13, 2021, to be followed by the Planning Commission's regular meeting. In order to allow sufficient time for submittal of the staff report regarding the Planning Commission's recommendation and associated documentation for inclusion in the Town Council agenda packet, Mayor Dize approved staff's request to reschedule the July Town Council Regular Meeting to July 22.

Pursuant to § 15.2-1416 of the Code of Virginia, regular meeting dates can be changed by the adoption of a resolution and posting of the resolution on the door of the meeting location and newspaper at least seven days prior to the new meeting date.

RECOMMENDATION:

Staff requests Council discussion and adoption of Resolution 20210617A to approve the change to the July Town Council Regular Meeting date to July 22, 2021 by roll call vote.

RESOLUTION 20210617A

**CHANGING DAY OF THE JULY 2021 CAPE CHARLES
TOWN COUNCIL REGULAR MEETING**

WHEREAS, the Cape Charles Town Council Regular Meetings are currently held on the third Thursdays of each month and agenda packets usually are sent out the Friday of the week prior to the meeting; and

WHEREAS, a joint public hearing is being scheduled with the Planning Commission in July regarding proposed changes to the Cape Charles Zoning Ordinance; and

WHEREAS, the Planning Commission's regular meeting date is July 6, which falls during the July 4th holiday week; and

WHEREAS, in order to ensure a quorum is reached for both the Planning Commission and Town Council, the date of the joint public hearing is being scheduled for July 13; and

WHEREAS, the July Town Council Regular Meeting is currently scheduled for July 15, 2021, so there would not be adequate time to submit the necessary staff report and documentation regarding the Planning Commission's recommendation on the proposed Zoning Ordinance amendments to allow for adequate citizen and Council review prior to adoption; now

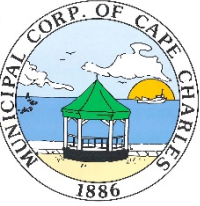
THEREFORE, BE IT RESOLVED by the Town Council of the Town of Cape Charles, Virginia, that the July Town Council Regular Meeting will be held on July 22, 2021, beginning at 6:30 PM, at the Cape Charles Civic Center.

Adopted by the Town Council of Cape Charles on June 17, 2021.

By: _____
Mayor William Dize

ATTEST:

Town Clerk

 TOWN OF CAPE CHARLES	AGENDA TITLE: Boat Ramp Agreement		AGENDA DATE: June 17, 2021
	SUBJECT/PROPOSAL/REQUEST: Authorize new cooperative agreement governing harbor boat ramp.		ITEM NUMBER: 8D
	ATTACHMENTS: 1. Proposed Agreement 2. Proposed Resolution		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT: Bob Panek, Project Manager	REVIEWED BY: John Hozey, Town Manager	

BACKGROUND:

At the October 15, 2020 meeting, Council decided to let the cooperative agreement with the Department of Wildlife Resources (DWR) governing the harbor boat ramps expire without entering a new agreement. A new twenty-year agreement would have provided for free public use in exchange for a major renovation by DWR at an unspecified time in the future. Since the facility will not need major renovation in the near term, Council expressed an interest to explore establishing user fees to generate revenue for maintenance and a reserve for future renovation. It was also suggested that grants might be available to help with the cost of renovation. Staff informed DWR of this decision. Future renovation and user fees would be considered in the Harbor Capital Plan Evaluation planned for next fiscal year.

DISCUSSION:

Senior DWR staff contacted staff to explore whether there was a way to keep the facility in the free public access program in exchange for more certainty on the timing of a future renovation. Based on the original construction cost and renovations accomplished for similar facilities, DWR estimates that a major renovation of the boat ramp would cost approximately \$750,000. Initial discussions focused on structuring a new long-term agreement. While processes can be incorporated to ensure periodic inspection and forecasting of the need for renovation, there is no certainty that such renovation would occur within the standard twenty-year period. It is estimated that the Town would forgo about \$250K of net user fee revenue during that period. Therefore, the focus was changed to a shorter-term agreement while the issue was explored in more depth as part of the Harbor Capital Plan Evaluation.

Staff has worked with DWR to develop a five-year agreement; attachment 1. The agreement would provide for the following:

1. DWR would perform several deferred maintenance items repairs this year, estimated at about \$50K
2. The Town would agree to maintain the facility to acceptable standards
3. The Town would be allowed to close the facility for special events for one day, twice per year*
4. Free public access.

Staff considers this a reasonable approach to stay in the program that could lead to a major renovation, accomplish needed repairs now, and provide time to further evaluate whether a longer-term agreement makes sense.

* Note: This allowance may not be available in any longer-term agreement using federal or other grant funds

RECOMMENDATION:

Staff recommends that Council review the proposed cooperative agreement and, if acceptable, adopt the resolution at attachment 2.

**COMMONWEALTH OF VIRGINIA
COOPERATIVE AGREEMENT
BY AND BETWEEN
THE TOWN OF CAPE CHARLES
AND
DEPARTMENT OF WILDLIFE RESOURCES**

This is the cooperative agreement ("Agreement") dated as of the date of the last signature below ("Effective Date"), by the Town of Cape Charles ("Town") and the Department of Wildlife Resources ("Department").

RECITALS

WHEREAS the cooperative agreement entered into on October 1, 2000, between the Town and the Department of Game and Inland Fisheries, now known as the Department of Wildlife Resources, see Section 29.1-100.1 of the Code of Virginia, concerning the public boating access facility on the Cape Charles Harbor, Chesapeake Bay ("Landing") expired on or about October 1, 2020;

WHEREAS the Town and the Department wish to continue free public access to the Landing for the Term of this Agreement;

WHEREAS the Landing requires certain repairs that would normally be considered general maintenance;

WHEREAS the Town and the Department wish to effect these repairs;

WHEREAS in consideration of this Agreement, the Department agrees to effect these repairs;

WHEREAS the Town hereafter agrees to maintain the repaired Landing to acceptable maintenance standards, including ensuring it remains handicap accessible, during the Term of this Agreement; and

WHEREAS the Town agrees to provide free and reasonable public access to the Landing during the Term of this Agreement,

TERMS

- I. In consideration of the recitals, **the Department agrees** to cause the following repairs to be made to the Landing:
 - a. Repair or replace, at the Department's sole discretion, up to ten ladders;
 - b. Repair or replace, at the Department's sole discretion, up to 18 parking bollards near the entrance of the Landing;

- c. Removal of damaged skirting;
 - d. Replace missing piling caps;
 - e. Replace approximately 100 checked decking boards; and
 - f. Replace six lengths of toe kick.
- II. The Department, in its sole discretion, may elect to repair the Landing itself or contract the repairs out.
- III. If the Department elects to hire a contractor to effect the repairs to the Landing, the selection of the contractor shall be at the Department's sole discretion.
- IV. In consideration of the recitals, **the Town agrees** to the following
 - a. Maintain the Landing to acceptable maintenance standards, including ensuring it remains handicap accessible, during the Term of the Agreement;
 - b. Keep the Landing open to the public for boating and fishing access during the Term of the Agreement. Other than emergency closures necessitated by public safety concerns, public access to the Landing may only be closed by the Town for a period of not greater than one day in duration, not to exceed two total days per year. In the case where a closure is anticipated, the Town shall notify the Department at least 7 days in advance so that public notification of the closure may be placed on the Department's website. Both parties mutually understand that, should the Landing be renovated in the future using federal or other grant sources, said grants may prohibit any closure of the Landing, and such term will be embodied in any future agreement;
 - c. Decline to charge any fee or other payment of any kind for the use of the Landing during the Term of the Agreement; and
 - d. Decline to assign, sublet, or otherwise convey in any manner any interest in the Landing during the Term of the Agreement.
- V. **Term** – This Agreement expires five years after the Effective Date ("Term of the Agreement").
- VI. **Applicable Law** – This Agreement shall be governed by the laws of the Commonwealth of Virginia.
- VII. **Drafting** – In any court proceeding or other dispute over this Agreement, neither the Town nor the Department shall be deemed the drafter of this Agreement.
- VIII. **Modification** – This Agreement may be modified or extend the Term of the Agreement only by a writing signed by authorized signatories of the Town and the Department.
- IX. **Severability** – Each term of this Agreement is severable from the remainder of the Agreement. Should any court of competent jurisdiction deem any term of this Agreement invalid, the remaining terms shall remain in full force and effect.
- X. **Authority to Enter into Agreement** – The signatories to this Agreement represent that they have the legal authority to enter into this Agreement and to bind their respective party to this Agreement.

- XI. **Counterparts** - This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original but all of which together will constitute one and the same instrument.
- XII. **Copies** – A certified copy of the signed Agreement shall be as legally valid as the original.
- XIII. **Integration** – This Agreement memorializes the entire and final agreement between the Town and the Department.

IN WITNESS WHEREOF, the Town and the Department have caused this Agreement to be executed by their duly authorized representatives:

Town: Town of Cape Charles

By: _____
John Hozey, Town Manager

Date: _____

Approved by Resolution of the Cape Charles Town Council duly adopted on _____.

By: _____
Libby Hume, Town Clerk

Date: _____

Department: The Department of Wildlife Resources

By: _____
Ryan J. Brown, Executive Director

Date: _____

RESOLUTION 20210617B

COOPERATIVE AGREEMENT FOR BOAT LANDING

WHEREAS, the previous cooperative agreement between the Town of Cape Charles and the Department of Game and Inland Fisheries, now Department of Wildlife Resources (DWR), for the public access boat landing in the town harbor has expired; and

WHEREAS, DWR is willing to make significant repairs to the landing; and

WHEREAS, the Town is willing to maintain the landing and make it available for free public access to the harbor; now

THEREFORE BE IT RESOLVED by the Town Council of the Town of Cape Charles, this 17th day of June 2021, that the Town Manager is authorized to enter into a new cooperative agreement on terms substantially in accordance with the attached draft agreement.

Adopted by the Town Council of the Town of Cape Charles on June 17, 2021.

By: _____
Mayor

ATTEST:

Clerk of Council / Town Clerk