

**MINUTES OF THE  
ACCOMACK-NORTHAMPTON  
TRANSPORTATION DISTRICT COMMISSION**

A regular meeting of the Accomack-Northampton Transportation District Commission was held at the Eastern Shore Chamber of Commerce Building, Melfa, Virginia, on Tuesday, August 18, 2020 at 5:30 p.m.

Present:

Donald L. Hart, Jr., Chairman  
C. Reneta Major, Secretary-Treasurer  
Ron Wolff  
Oliver H. Bennett

Absent:

John R. Coker, Vice Chairman  
Dave Fauber

Ex-Officio member present:

Linda Balderson

Nonmembers present:

Phil Thompson, Virginia Regional Transit  
Baron Emery, Delmarva Central Railroad  
H. Spencer Murray, Canonie Atlantic Co.

In Re: Call to Order

The Chairman called the meeting to order and indicated that a quorum was present. He welcomed new member Oliver H. Bennett and noted that Mr. Bennett had been appointed by the Northampton County Board of Supervisors to succeed Ms. M. E. Mapp who recently resigned from the Commission.

In Re: Invocation

The invocation was given by Ms. Major.

In Re: Statements from the Public

There were no statements from the public.

In Re: Account Balances

The monthly Assistant Secretary-Treasurer's report showed an ending balance at July 31st of \$64,181.36.

In Re: Minutes of July 7, 2020 and August 4, 2020

Motion was made by Mr. Wolff, seconded by Mr. Bennett, that minutes of the meetings of July 7, 2020 and August 4, 2020 be approved. All members were present with the exceptions of Mr. Fauber and Mr. Coker and voted "yes". The motion was passed.

In Re: Public Transportation Report

The following Management Report was distributed:



**STAR Transit Management Report  
August 4<sup>th</sup> 2020**

**Operations**

- STAR Transit provided 4,108 rides during the month of July 2020 compared to 7,591 rides provided during the month of July 2019. The reduction in ridership is attributed directly to the impacts of the COVID19 pandemic on the economy as well as the limited seating capacities onboard transit vehicles with social distancing requirements.
- STAR Transit continues to utilize Demand Response routes to assist fixed routes as available once busses reach capacity.
- All STAR Transit buses have been outfitted with driver protection enclosures to provide protection to the vehicle operator and the passenger during boarding and exiting the vehicle. Additional protections include the provision of cleaning and disinfecting supplies to be used before, during and after shift, gloves and masks.

**Human Resources**

- Effective July 27<sup>th</sup>, the Virginia Department of Labor and Industry adopted Emergency Temporary Standard 16VAC25-220, mandating mask provision by employers and use by employees. STAR Transit has been in compliance with this standard since before its inception.
- STAR Transit is performing an annual review of its Personnel Policy Manual and Job Descriptions for adoption in the fall.

**Marketing and Outreach**

- STAR Transit continues to be in regular contact with Eastern Shore agencies during the pandemic providing up to date information on bus seating capacities and safety protocol.
- The Town of Nassawadox has requested 2 bus shelters. The Town will provide the labor and materials to construct the concrete pads and shelters as an “in-kind” local match contribution required for the capital asset purchase. In doing so, the shelter will be provided for use by STAR Transit riders at no cost.
- Mr. Thompson also reported on the 30<sup>th</sup> anniversary of Virginia Regional Transit.

**Training**

- STAR Transit training for the month of July has been cancelled.

**Transit Capital and Infrastructure**

- STAR Transit has received three grant funded buses which were approved and purchased during FY20. This includes one 14 passenger BOC, one 20 passenger BOC and one 24 passenger truck bus. They are operational and a welcome sight. The larger bus will be running on the northern Blue / Gold route.

**Monthly Ridership Statistics**

<b>April</b>	<b>2019</b>	<b>8432</b>	<b>April</b>	<b>2020</b>	<b>3530</b>
<b>May</b>	<b>2019</b>	<b>7933</b>	<b>May</b>	<b>2020</b>	<b>3443</b>
<b>June</b>	<b>2019</b>	<b>7110</b>	<b>June</b>	<b>2020</b>	<b>4202</b>
<b>July</b>	<b>2019</b>	<b>7591</b>	<b>July</b>	<b>2020</b>	<b>4108</b>

\* \* \* \* \*

JUNE 30, 2020, 22 DAYS

STAR TRANSIT 2019-2020

Month	Total Revenue	Total Expenses	Surplus/Deficit	Passengers			
				Month	2019-20	2018-19 Trips	Total Cost
Oct.	\$74,744.82	\$55,242.51	\$19,502.31	Oct.	8732	8,184	\$6.33
Nov.	\$83,082.96	\$72,807.76	\$10,275.20	Nov.	6508	7,227	\$11.19
Dec.	\$87,067.12	\$80,993.08	\$6,074.04	Dec.	6360	6,240	\$12.73
Jan.	\$83,249.70	\$77,258.12	\$5,991.58	Jan.	6913	7,379	\$11.18
Feb.	\$79,752.20	\$84,070.58	-\$4,318.38	Feb.	6175	7,602	\$13.61
Mar.	\$84,846.21	\$69,401.24	\$15,444.97	Mar.	5830	7,737	\$8.97
Apr.	\$83,891.73	\$51,872.90	\$32,018.83	Apr.	3530	8,432	\$6.15
May	\$80,790.28	\$62,077.43	\$18,712.85	May	3443	7,933	\$7.83
June	\$85,127.70	\$97,244.72	-\$12,117.02	June	4202	7,110	\$13.68
July			\$0.00	July		7,591	\$0.00
Aug.			\$0.00	Aug.		8,533	\$0.00
Sept.			\$0.00	Sept.		7,522	\$0.00
<b>TOTAL</b>	<b>\$742,552.72</b>	<b>\$650,968.34</b>	<b>\$91,584.38</b>		<b>51693</b>	<b>91,490</b>	
					<b>AVERAGE COST PER PASSENGER -&gt;</b>		<b>\$12.59</b>
					<b>AVERAGE PASSENGERS PER MONTH -&gt;</b>		<b>5,744</b>

Passengers per Mile				Cost per Mile			
Oct.	0.24	April	0.09	Oct.	\$1.50	April	\$1.33
Nov.	0.17	May	0.10	Nov.	\$1.94	May	\$1.76
Dec.	0.16	June	0.11	Dec.	\$2.08	June	\$2.47
Jan.	0.17	July	#DIV/0!	Jan.	\$1.85	July	#DIV/0!
Feb.	0.16	Aug.	#DIV/0!	Feb.	\$2.21	Aug.	#DIV/0!
Mar.	0.14	Sept.	#DIV/0!	Mar.	\$1.72	Sept.	#DIV/0!
<b>TOTAL</b>				<b>TOTAL</b>			
<b>AVERAGE MONTHLY PASSENGERS PER MILE</b>			<b>0.15</b>	<b>AVERAGE COST PER MILE</b>			<b>\$1.88</b>

Hourly Cost				Passengers per Hour			
Oct	\$34.21	April	\$29.16	Oct	5.4	April	2.0
Nov.	\$45.42	May	\$38.53	Nov.	4.1	May	2.1
Dec.	\$47.98	June	\$54.88	Dec.	3.8	June	2.4
Jan.	\$43.64	July	#DIV/0!	Jan.	3.9	July	#DIV/0!
Feb.	\$52.19	Aug	#DIV/0!	Feb.	3.8	Aug	#DIV/0!
March	\$39.17	Sept	#DIV/0!	March	3.3	Sept.	#DIV/0!
<b>TOTAL</b>				<b>TOTAL</b>			
<b>AVERAGE TOTAL HOURLY COST</b>			<b>\$42.77</b>	<b>AVERAGE PASSENGERS PER HOUR</b>			<b>3.4</b>

Route Location	Passenger Totals	Operating Hours	Mileage
Red	609	231.00	6,368
Purple	687	226.00	5,719
Gold	392	121.00	2,575
Gold H2Expansion	390	132.00	3,272
Accomack On Demand(Green)	253	209.00	2,325
Blue	358	138.00	2,862
Blue H2Expansion	364	116.00	2,864
Silver	480	264.00	8,027
Yellow	656	231.00	5,281
Northampton Demand	13	104.00	58
	<b>4,202</b>	<b>1,772.00</b>	<b>39,351</b>

Month	Hrs. of Oper.	Mileage
Oct.	1,615	36,794
Nov.	1,603	37,458
Dec.	1,688	38,874
Jan.	1,771	41,754
Feb.	1,611	38,015
Mar.	1,772	40,326
Apr.	1,779	39,056
May	1,611	35,337
June	1,772	39,351
July		
Aug.		
Sept.		
	<hr/>	<hr/>
	15,222	346,965

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In Re: State's Comments

Ms. Balderson had no comments.

In Re: Melfa Airport Update

Mr. Muhly reported that the airport is negotiating for "through-the-fence" operations which will lead to increased traffic. Funding for a large plane hangar is also being sought.

In Re: Wallops Update

Mr. Wolff said that the scheduled August 22<sup>nd</sup> launch for Rocket Lab has been postponed.

The next Antares launch, an evening event, is planned for September 24<sup>th</sup>.

In Re: Railroad Comments

Carload counts for July provided from DCR were:

Coastline Chem	9
Pep Up	<u>6</u>
Total	15

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The following Activities Report was submitted by Mr. Jim Outland, General Manager of Canonie Atlantic, and H. Spencer Murray, Senior Vice President – Administration:

*Directors Update for August 4, 2020*

*From: H. Spencer Murray, SVP for Administration*

*Jim Outland, General Manager*

1. Rails to Trails VDOT

*On 7/16 The Town of Cape Charles Town Council passed a resolution to support ANTDC's Smart Scale application to extend RTR into the Town. The council had reservations about how the cost of maintenance would be managed after the trail is built. Director Muhly has also requested that we look at ending the trail in Hallwood instead of ¾ of a mile south of the town where DCR's lease ends.*

*Below is view looking south from Hallwood along DCR-maintained track.*



View below looking south from end of DCR-maintained line. Sign reads “End DCR Property”



2. Cape Charles Boats – The Vessel “Sea Sharp” & Boat Parking

The **Sea Sharp** is the burned-out vessel pictured below which caught fire in the Cape Charles Harbor last year. The fate of this hulk has been tied up in insurance litigation for some time. As you can see in the picture, it is currently encroaching on CAC property near the Harbor. This situation not only presents an eye-sore but also a potential liability exposure for CAC. On 7/28 Jim engaged with Dan Brown who is involved in this matter to confirm the current plan to move the boat off CAC property. Dan says he expects to have a truck large enough to make the move within the next two weeks. He has committed to have it moved from CAC’s property by no later than 9/1.



*In our previous report we sent you the picture below taken on or about 6/30 showing the overflow boat parking from the Town of Cape Charles' marina on to Canonie Property. We have since worked with the Town Manager and Harbor Master to resolve this situation.*



*Below is the same view of Canonie property on 7/30 showing the boats are removed.*



3. Saint Julian's Yard



Based on discussion Spencer has had with Linda Balderson, funding for DRPT's purchase of St. Julian's continues to be in DRPT's six year plan. This plan will be presented for approval in September. If approved then the latest date to close is currently June 30, 2021. So far, the Department remains cautiously optimistic. In addition, Eric Hockey reports formal environmental letters of notice have been sent out to impacted stakeholders.

4. Repayment of ANTDC's Debt to DPRT

ANTDC previously authorized Mr. Murray to engage with Director Jennifer Mitchell regarding a repayment arrangement requesting deferment of the payment due in July 2020. The Board was briefed on this proposal during our last meeting and Mr. Murray formally presented this arrangement to Ms. Mitchell via letter dated 6/8/2020.

Director Mitchell has since responded via letter dated 7/29/2020 with formal acceptance of ANTDC's proposed repayment arrangement.

5. HRSD Sewer Line Easement

The Accomack and Northampton County petitions to join HRSD are not currently on the Circuit Courts' docket due to the COVID backlog. Canonie Atlantic Company remains open to negotiations with HRSD for use of the railroad right-of-way.

6. DEQ Voluntary Remediation Program for Rail Yard

DEQ notified Canonie via letter of the yard's full acceptance into the Voluntary Remediation Program as of 7/16/2020. They are scheduling a site visit for late Summer/early Fall.

7. Paving RR Crossings

Canonie has received the work permit from VDOT and last week I hosted site meetings at Keller and Painter RR crossings with VDOT as well as the paver and the flagger contacts to review on site the work to be done. The safety requirements related to the crossings' proximity to Route 13 will require closings for 3-4 hours at each intersection while repairs are being made. Once VDOT approves the traffic plan there'll likely be announcements regarding these closures that will need to be run in the ES Post.

8. New Canonie Financial reporting structure under development

Jim is currently working with a CPA who is applying Generally Accepted Accounting Principles to properly organize Canonie's books in anticipation of the annual ANTDC audit. Jim intends to distribute copies of CAC's financial position at the August 4<sup>th</sup> meeting. The report will be reviewed in closed session.

9. Sale of Equipment, Signals and Rail

We've received a list of companies from Mark Rosner at DCR that remove RR tracks and also handle sales of excess equipment. We need an opinion, however, from our attorney Eric Hockey on whether CAC is authorized to do so based on the current STB status.

10. Land Sale by Broadwater Academy

*An attorney representing Broadwater Academy has contacted us regarding a farm parcel that was donated to the school and is split by CAC's rail line. The school now has a buyer for the property but at issue is 1941 survey showing a crossing of the rail line for the two parcels which is marked on the plat as "proposed crossing."*

*The family that previously owned the property always understood this crossing as the way to access other parts of their farm. This crossing has also been depicted in other documents, including Northampton Deed Book 148, page 398 but what has not been located so far is a clear grant or reservation of an easement for a crossing, which is what the title company doing the title examination is expecting. The attorney is therefore requesting CAC's assistance to confirm the crossing shown on the plat constitutes a valid access to other parts of the property.*

11. Transportation Technical Advisory Committee (TTAC)

*Canonie Atlantic has replaced Bay Coast Railroad as a non-voting member of the Transportation Technical Advisory Committee. This committee is managed by and subordinate to the ANPDC.*

*SVP Murray and Jim Outland attended the most recent meeting and Jim will be the primary contact for the TTAC going forward with SVP Murray as the alternate. We will keep the board posted on any relevant developments.*

12. T&W Block Property Lease

*On 5/13/2020, Canonie Atlantic Company sent Genevieve Walker-Switzer, the President of T&W Block, a letter as follow-up to a conversation that Spencer and Jim had had with Genevieve. The letter provided formal notice that CAC does not intend to renew T&W's lease of CAC property near the Cape Charles harbor when the lease expires on 10/01/2020. We further informed T&W that, per the lease, the property must be returned to CAC in remediated condition with all T&W equipment removed.*

*We have since had no reply nor have we seen any activity on the property regarding removal of T&W equipment. We therefore intend to send a second letter T&W reminding them of our intent not to renew the lease and their need to remediate the property by 10/1.*

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In Re: Policy for Electronic Meetings

The Commission considered the following draft Electronic Meetings Policy:

*As authorized by Virginia Code § 2.2-3708.2, it is the policy of the Accomack-Northampton Transportation District Commission that individual Commission members may participate in meetings of the Commission by electronic communications means from a remote location that is*

*not open to the public only as permitted by Virginia Code § 2.2-3708.2, as amended, and this policy. This policy shall apply strictly and uniformly to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.*

*An individual member may participate from a remote location only if a quorum (3 members) of the Commission is physically assembled at the primary or central meeting location, and the Commission has made arrangements for the voice of the remote participant to be heard by all persons at the primary or central location.*

*Remote participation in a meeting due to an emergency or personal matter may be approved only if, before 12:00 noon on the day of the meeting, the requesting member notifies the Chairman of the Commission that such member is unable to attend the meeting due to an emergency or personal matter and identifies with specificity the nature of the emergency or personal matter.*

*Remote participation in a meeting due to a temporary or permanent disability or other medical condition may be approved only if, before 12:00 noon on the day of the meeting, the requesting member notifies the Chairman of the Commission that such member is unable to attend the meeting due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance.*

*As required by law, in the event of any such participation of a member from a remote location, the Commission shall record in its minutes the specific nature of the emergency, personal matter, temporary or permanent disability or other medical condition, and the location from which the Commission member participated remotely.*

*As required by law, remote participation that is due to an emergency or personal matter shall be limited in each calendar year for each individual member to two (2) meetings or 25 percent of the meetings of the Commission, whichever is fewer. This limitation shall apply separately with respect to the meetings of each of the Commission's committees.*

*An individual member's request for participation from a remote location under this policy shall be considered approved upon communicating the request to the Chairman of the Commission, pending review by legal counsel for compliance with the Code of Virginia and this policy. If a member's participation from a remote location is disapproved because such participation would violate this policy, such disapproval shall be recorded in the minutes with specificity.*

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Motion was made by Mr. Wolff, seconded by Mr. Bennett, that the electronic meetings policy be adopted as presented. All members were present with the exceptions of Mr. Coker and Mr. Fauber and voted "yes." The motion was unanimously passed.

In Re: Recess/Adjourn

Motion was made Mr. Wolff, seconded by Mr. Bennett, that the meeting be recessed until after the meeting of the Canonie Atlantic Co. Board of Directors. All members were present with the exceptions of Mr. Fauber and Mr. Coker and voted "yes." The motion was unanimously passed.

Following the Canonie Atlantic Co. meeting, the meeting was reconvened by the Chairman at 7:15 p.m.

Motion was made by Mr. Wolff, seconded by Ms. Major, that the meeting be adjourned. All members were present with the exceptions of Mr. Fauber and Mr. Coker and voted "yes." The motion was unanimously passed. The meeting was adjourned.