

A regular meeting of the Westmoreland County Board of Supervisors was held Monday, January 9, 2023, in the public meeting room of the George D. English, Sr. Memorial Building, located at 111 Polk Street, Montross, Virginia. Those members present were Darryl E. Fisher, W. W. Hynson, Russ Culver, Dorothy Dickerson Tate and Timothy J. Trivett. Also present were Norm Risavi, County Administrator, Karen Lewis, Assistant County Administrator, Richard Stuart, County Attorney, Debra Whaley, Finance Director and Donna Cogswell, Executive Assistant.

Inasmuch as the COVID-19 pandemic makes it unsafe to assemble in one location and maintain recommended social distancing limitations, this meeting was also made available to the public via live stream on social media.

CALL TO ORDER

Chairman Fisher called the meeting to order at 6:09 p.m.

1. REORGANIZATION

A. Appointment of County Administrator as Temporary Chairman

Upon motion by Russ Culver, second by Dorothy Dickerson Tate and carried unanimously, the Board appointed Norm Risavi, County Administrator, as Temporary Chairman of the Board.

B. Election of Chairman

Mr. Risavi opened the floor for nominations for the position of Chairman of the Board of Supervisors for calendar year 2023. Dorothy Dickerson Tate nominated Darryl Fisher as Chairman. There being no additional nominations, Mr. Risavi closed the nominations and called for a vote on the nomination of Darryl Fisher as Chairman of the Board of Supervisors for calendar year 2023. Darryl Fisher was then elected as Chairman by a unanimous vote, with Timothy Trivett, Russ Culver, Woody Hynson, Dorothy Dickerson Tate and Darryl Fisher voting "aye". Mr. Risavi then turned the proceedings over to Chairman Darryl Fisher.

Chairman Fisher expressed his appreciation for the opportunity and privilege to represent the County as Supervisor and to his colleagues for their vote of confidence, entrusting him with the position of Chairman for the coming year.

C. Election of Vice Chairman

Chairman Fisher opened the floor for nominations for the position of Vice Chairman of the Board of Supervisors for calendar year 2023. Russ Culver nominated Timothy Trivett as Vice Chairman. There being no additional nominations, Chairman Fisher closed the nominations and called for a vote on the nomination of Timothy Trivett as Vice Chairman of the Board of Supervisors for calendar year 2023. Timothy Trivett was elected Vice Chairman by a unanimous vote, with Dorothy Dickerson Tate, Woody Hynson, Russ Culver, Timothy Trivett and Chairman Fisher voting "aye".

D. Term of Office of Chairman and Vice Chairman

Woody Hynson moved that the term of office for Chairman and Vice Chairman be set at one (1) year, Russ Culver second the motion and, therefore, it was carried unanimously with Timothy Trivett, Russ Culver, Woody Hynson, Dorothy Dickerson Tate and Chairman Fisher voting "aye" to a (1) year term limit for Chairman and Vice Chairman.

E. Resolution on Days, Times, and Places of Regular/Land Use Meetings

The Board waived the reading of the Resolution for days, times and place of Regular/Land Use Meetings for 2023.

Upon motion by Woody Hynson, second by Timothy Trivett and carried unanimously, with Timothy Trivett, Russ Culver, Dorothy Dickerson Tate, Woody Hynson and Chairman Fisher voting "aye". The Board adopted the following Resolution for 2023 regarding the Regular/Land Use Meetings as set forth below:

**** NEXT PAGE – RESOLUTION & CALENDAR ****

DARRYL E. FISHER, CHAIRMAN
ELECTION DISTRICT NO. 1
HAGUE, VIRGINIA 22489

W. W. HYNSON, VICE CHAIRMAN
ELECTION DISTRICT NO. 4
COLONIAL BEACH, VIRGINIA 22443

RUSS CULVER
ELECTION DISTRICT NO. 2
MONTROSS, VIRGINIA 22520

DOROTHY DICKERSON TATE
ELECTION DISTRICT NO. 3
MONTROSS, VIRGINIA 22520

TIMOTHY J. TRIVETT
ELECTION DISTRICT NO. 5
COLONIAL BEACH, VIRGINIA 22443



NORM RISAVI
County Administrator
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WESTMORELAND COUNTY, VIRGINIA

Board of Supervisors

MONTROSS, VIRGINIA 22520-1000

RESOLUTION

WHEREAS, Section 15.2-1416 of the Code of Virginia, 1950, as amended, provides that the days, times and places of regular meetings to be held during the ensuing twelve months shall be established by the Governing Body at each annual meeting; and

WHEREAS, it is the intent of the Board of Supervisors of Westmoreland County to conduct one regularly scheduled meeting each month during calendar year 2023;

NOW, THEREFORE, BE IT RESOLVED that the regularly scheduled meetings for calendar year 2023 shall be held at the George D. English, Sr. Memorial Building, located at 111 Polk Street, Montross, Virginia on the following days and times:

1. The second Monday of each month commencing at 6:00 p.m. to conduct the regular business of the Board. The Board will meet as needed on the Wednesday following the second Monday of each month commencing at 6:00 p.m. to conduct the land use business of the Board; and
2. As circumstances dictate, the County Administrator may change the time a Board meeting will commence to accommodate additional agenda items that may arise; and
3. If, in the judgment of the County Administrator or members of the Board of Supervisors, a special meeting is necessary, it shall be called in conformity with Section 15.2-1418 of the Code of Virginia, 1950, as amended and the Board shall be given 72 hours advance notice of such special meeting, unless circumstances dictate otherwise; and
4. In accordance with Section 15.2-1416 of the Code of Virginia, 1950, as amended, if the chairman, or vice chairman if the chairman is unable to act, finds and declares that weather or other conditions are such that it is hazardous for board members to attend the regular meeting, such meeting shall be continued to the Wednesday following the second Monday of each month commencing at 6:00 p.m. to conduct the regular business of the Board and commencing at 6:30 p.m. to conduct the land use business of the Board (if any), at the George D. English, Sr. Memorial Building located in Montross, Virginia.
5. If the regular meeting date coincides with a county holiday, such meeting shall be held on the Wednesday following the second Monday of each month commencing at 6:00 p.m. to conduct the regular business of the Board and commencing at 6:30 p.m. to conduct the land use business of the Board (if any), at the George D. English, Sr. Memorial Building located in Montross, Virginia.

Adopted this 9th day of January, 2023.



Chairman, Board of Supervisors
Westmoreland County

**Westmoreland County
Board of Zoning Appeals~ Wetlands~ Planning Commission & Board of Supervisors
2023-2024 Meeting Schedule**

Wetlands Board 1:30 p.m.	App Deadline	Board of Zoning Appeals 1:30 p.m.	B.Z.A App. Deadline	Planning Comm. 1:30 p.m.	App. Deadline	Work session 3:00 p.m.	Board of Supervisors 6: 00 p.m.	Wednesday (as needed)
Jan 23, 2023	Dec. 7, 2022	Jan. 23, 2023	Nov 29, 2022	Jan. 4, 2023	Nov. 2, 2022	Dec. 19, 2022	Jan. 9, 2023	Jan. 11, 2023
Feb 27, 2023	Jan. 17, 2023	Feb. 27, 2023	Jan. 17, 2023	Feb. 6, 2022	Nov. 29, 2022	Jan 23, 2023	Feb. 13, 2023	Feb. 15, 2023
Mar 20, 2023	Jan. 24, 2023	Mar. 27, 2023	Feb. 11, 2022	Mar. 6, 2023	Jan. 10, 2023	Feb. 27, 2023	Mar. 13, 2023	Mar. 15, 2023
Apr 17, 2023	Feb. 24, 2023	Apr. 24, 2023	Mar. 2, 2023	Apr. 3, 2023	Mar. 10, 2023	Mar. 27, 2023	Apr. 10, 2023	Apr. 12, 2023
May 15, 2023	Mar. 21, 2023	May 22, 2023	Mar. 22, 2023	May 1, 2023	Ap. 11, 2023	Apr. 24, 2023	May 8, 2023	May 10, 2023
Jun 26, 2023	May 9, 2023	Jun. 26, 2023	May 13, 2023	June 5, 2023	May. 9, 2023	May 22, 2023	June 12, 2023	June 14, 2023
July 17, 2023	May 23, 2023	July 24, 2023	June 10, 2023	Jul. 3, 2023	May 9, 2023	June 26, 2023	July 10, 2023	July 12, 2023
Aug 21, 2023	Jun 27, 2023	Aug. 28, 2023	July 5, 2023	Aug. 7, 2023	Jul. 5, 2023	July 24, 2023	Aug 14, 2023	Aug. 16, 2023
Sep 18, 2023	Jul. 25, 2023	Sept. 25, 2023	Aug. 1, 2023	Sept. 6, 2023	July 22, 2023	Aug. 28, 2023	Sept. 11, 2023	Sept. 13, 2023
Oct 16, 2023	Aug 28, 2023	Oct. 23, 2023	Aug. 29, 2023	Oct. 2, 2023	Aug. 22, 2023	Sept. 25, 2023	Oct. 11, 2023	Oct. 11, 2023
Nov 20, 2023	Sep. 26, 2023	Nov. 27, 2023	Oct. 3, 2023	Nov. 6, 2023	Sept. 12, 2023	Oct. 23, 2023	Nov. 13, 2023	Nov. 15, 2023
Dec 18, 2023	Oct. 31, 2023	Dec. 18, 2023	Oct. 31, 2023	Dec. 4, 2023	Oct. 10, 2023	Nov. 27, 2023	Dec. 11, 2023	Dec. 13, 2023
Jan 22, 2024	Nov. 28, 2023	Jan. 22, 2024	Nov. 28, 2023	Jan. 3, 2024	Nov. 7, 2023	Dec. 18, 2023	Jan. 8, 2024	Jan. 10, 2024

George D. English, Sr. Memorial Building, Montross, VA 22520

**Meeting dates indicated in blue will be held on a Wednesday.*

1. No Public Hearing shall be scheduled when an uncompleted application or plans have been submitted.
2. It is suggested that all applicants schedule a pre-application conference. Should you choose not to do so, staff reports will reflect the data submitted.
3. In order for a public hearing to be held at the regular meeting, the application with original signature, fee, and any and all necessary materials, along with the required number of copies shall be received by the Land Use Administration Office in the George D. English, Sr. Memorial Building, 111 Polk Street, Montross, VA, before 4:30 p.m. by the application deadline date as indicated above.
4. This schedule is provided as a guide only

Westmoreland County shall not be responsible for any cost or damages resulting from a change in the schedule.

ord/form/2023-2024 schedule

F. Resolution on Holidays for Calendar Year 2023

There were questions about the holidays listed and if any were missed. Mr. Risavi noted that the Personnel Policy states that should the President or Governor declare an additional holiday that it would be recognized, otherwise, all dates notes are State and/or Federal Holidays.

Upon motion by Woody Hynson, second by Dorothy Dickerson Tate and carried unanimously with Timothy Trivett, Russ Culver, Dorothy Dickerson Tate, Woody Hynson and Chairman Fisher voted "aye". The Board adopted the Resolution on the holiday calendar for 2023, as set forth below:

DARRYL E. FISHER, CHAIRMAN
ELECTION DISTRICT NO. 1
HAQUEL, VIRGINIA 22468

W. W. HYNSON, VICE CHAIRMAN
ELECTION DISTRICT NO. 4
COLONIAL BEACH, VIRGINIA 22443

RUSS CULVER
ELECTION DISTRICT NO. 2
MONTROSS, VIRGINIA 22520

DOROTHY DICKERSON TATE
ELECTION DISTRICT NO. 3
MONTROSS, VIRGINIA 22520

TIMOTHY J. TRIVETT
ELECTION DISTRICT NO. 5
COLONIAL BEACH, VIRGINIA 22443



WESTMORELAND COUNTY, VIRGINIA

Board of Supervisors

MONTROSS, VIRGINIA 22520-1000

NORM RISAVI
County Administrator
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BE IT RESOLVED that the Westmoreland County Board of Supervisors designates the following holidays for Westmoreland County offices for calendar year 2023:

<i>New Year's Day (observed)</i>	<i>Monday, January 2nd</i>
<i>Martin Luther King, Jr. Day</i>	<i>Monday, January 16th</i>
<i>President's Day</i>	<i>Monday, February 20th</i>
<i>Memorial Day</i>	<i>Monday, May 29th</i>
<i>Juneteenth</i>	<i>Monday, June 19th</i>
<i>Independence Day</i>	<i>Tuesday, July 4th</i>
<i>Labor Day</i>	<i>Monday, September 4th</i>
<i>Columbus Day & Yorktown Victory Day</i>	<i>Monday, October 9th</i>
<i>Election Day</i>	<i>Tuesday, November 7th</i>
<i>Veterans Day (observed)</i>	<i>Friday, November 10th</i>
<i>Day Before Thanksgiving</i>	<i>Wednesday, November 22nd</i> <i>Offices close @ noon</i>
<i>Thanksgiving Day</i>	<i>Thursday, November 23rd</i>
<i>Day After Thanksgiving</i>	<i>Friday, November 24th</i>
<i>Christmas Eve (observed)</i>	<i>Friday, December 22nd</i> <i>Offices close @ noon</i>
<i>Christmas Day</i>	<i>Monday, December 25th</i>
<i>New Year's Day</i>	<i>Monday, January 1, 2024</i>

BE IT FURTHER RESOLVED that, in accordance with the provisions of the employee personnel policy, Westmoreland County will observe any additional holidays granted by the Governor of Virginia or the President of the United States.

Adopted this 9th day of January, 2023



Chairman, Board of Supervisors
Westmoreland County

G. Rules of Procedure for 2023

The Board waived the reading of the Rules of Procedure for 2023 and with no further discussion, Chairman Fisher asked for a motion.

Upon motion by Dorothy Dickerson Tate, second by Woody Hynson and carried unanimously with Dorothy Dickerson Tate, Woody Hynson, Russ Culver, Timothy Trivett and Chairman Fisher voting "aye". The Board adopted the Board of Supervisor's Rules of Procedure for 2023, as set forth below:

Date of Adoption: January 9, 2023



BOARD OF SUPERVISORS

of the

County of Westmoreland, Virginia

RULES OF PROCEDURE

The following Rules of Procedure are adopted by the Westmoreland County Board of Supervisors to enable the Board to discharge its duties and responsibilities effectively and efficiently and to facilitate the exercise of its authority and powers in the Code of Virginia.

Article 1. ORGANIZATIONAL MEETING

- 1.1 **Annual Meeting.** The Board shall elect a chairman and vice-chairman at the annual meeting in the month of January for a one (1) year term at the beginning of the new terms of office. (§ 15.2-1422 Code of Virginia 1950)
- 1.2 **Chairman.** The Chairman shall preside at all meetings and hearings of the Board; he or she shall decide all points of order or procedure, and the full Board shall appoint any committees that may be necessary.
- 1.3 **Vice-Chairman.** The Vice-Chairman shall assume the duties of the Chairman in his or her absence or disability.
- 1.4 **Clerk.** The Clerk to the Board shall conduct all official correspondence subject to these rules at the direction of the Board; shall send out all notices required by these rules of procedure; keep all minutes of the Board's proceedings; and keep files on all matters which come before the Board.
- 1.5 **Parliamentarian.** The County Attorney shall serve as the Parliamentarian for the purpose of interpreting these Rules of Procedure, Robert's Rules of Order and the Code of Virginia (1950), as amended, as may be directed by the Chair, or as required as a result of a point of order raised by any one or more Board members. If the County Attorney is unavailable, the County Administrator shall serve as the Parliamentarian.
- 1.6.1 **Preservation of Order.** At meetings of the Board, the presiding officer shall preserve order and decorum.

Date of Adoption: January 9, 2023

ARTICLE 2. MEETINGS

- 2.1 **Regular Meetings.** A regular meeting of the Board of Supervisors shall be held on the second (2nd) Monday of each month commencing at 6:00 p.m. to conduct the regular business of the Board. The Board will meet as needed on the Wednesday following the second (2nd) Monday of each month commencing at 6:00 p.m. to conduct the land use business of the Board. Such meetings shall be held at the George D. English, Sr. Memorial Building, located at 111 Polk Street in Montross. When the regular meeting date falls on a holiday, the meeting shall be held on the following Wednesday at the George D. English, Sr. Memorial Building, commencing at 6:00 p.m. to conduct the regular business of the Board and commencing at 6:30 p.m. to conduct the land use business of the Board. All meetings are open to the public and all business shall be conducted publicly, except certain specific exempt topics identified in Section 2.2-3711 of the Code of Virginia 1950 (as amended) may be discussed in closed meeting.
- 2.2 **Special and Adjourned Meetings.** Special meetings may be called in accordance with Sections 15.2-1417 and 1418 of the Code. The Board shall be given 72 hours advance notice of such special meetings, unless emergency circumstances dictate otherwise. Adjourned meetings or reconvened meetings may be held any specific time, date, and place the Board may set, without additional notice, so long as the time, date and place are publicly specified prior to adjournment at the preceding meeting.
- 2.3 **Quorum.** A quorum shall consist of three members. If disqualifications of Board members should occur as a result of the provisions of the State and Local Government Conflict of Interests Act, the remaining members shall have authority to act for the Board by majority vote, unless an unanimous vote of all members is required by law, in which case authority to act shall require a unanimous vote of remaining members (§ 2.2-3112 (c)).
- 2.4 **Voting.** Each supervisor shall be entitled to cast one vote on any questions before the Board. Voting shall be by voice, recorded by "aye", "nay" or "abstain".
- 2.5 **Minutes of Meeting.** The minutes of the Board meeting shall reflect the official acts of the Board and names of the public commenting during public hearings and citizen comment periods. Each recorded vote shall indicate how each member of the Board voted. Preparation of minutes will be done in accordance with the requirements of Section 2.2-3707 and Section 15.2-1242 of the Code of Virginia, as amended. Minutes shall be included as part of the agenda package for the subsequent regular meeting of the Board. Draft copies of the minutes will be made available to the public in hard copy form at each regular meeting of the Board.
- 2.6 **Agenda.** The County Administrator shall prepare an agenda for each regular or special meeting of the board on which shall appear the title of each matter to be addressed at the meeting. The agenda for each regular meeting shall be prepared at least five days prior to the meeting and be distributed to appropriate officials and employees of the county government and member of the public and media requesting copies. Matters may be placed on a Board agenda only in the following manner: (1) by resolution of the Board; or (2) upon the direction of any member of the Board of Supervisors; or (3) by the County Administrator or County Attorney; or (4) when directed by Section 15.2-1243 et seq. of the Code of Virginia as a claim to be presented to the Board of Supervisors, or (5) upon

Date of Adoption: January 9, 2023

referral of a land use matter to the Board of Supervisors as provided for in Chapter 22 of Title 15.2 of the Code of Virginia. Any member of the general public or group who wishes to be placed upon the Board's agenda must submit a request in writing to the County Administrator at least ten (10) days prior to the Board meeting for which the item is scheduled to be considered. When requesting time to appear on the agenda, the requestor shall give the County Administrator a description of what the topic will be, the speaker's name, complete address and phone numbers for contact purposes. If the speaker is representing a group or organization, the request shall include the organization's name, speaker's official position and the speaker's authority to represent the organization. All items which are requested to be placed on the agenda which have not been submitted within the prescribed deadline shall be placed on the next regular agenda for consideration.

ARTICLE 3. BOARD MEETINGS AND PUBLIC HEARINGS

- 3.1 Citizens' Comments.** A reasonable period of time will be allocated to individuals to give the Board an opportunity to listen to citizens. The Board is very interested in citizen input relating to concerns, problems, issues or policies. In the opening statement, the Board Chair will state the period of time each citizen will be allocated to address the Board. During the citizens' comment period, speakers wishing to address the Board shall clearly state their name and address for the record. Citizens are encouraged to work through problems at the department and/or administrative levels before coming to the Board. This is a period in which citizens are to speak to issues. Questions shall be directed to the Chairman, who will, at his/her discretion, solicit the response from the appropriate person. The Board Chair is responsible for the orderly conduct of the meeting and shall rule on such matters as the appropriateness of the subject being presented.

Public participation at any special called meeting of the Board shall be determined by the Board upon recommendation of the Board Chair. Public hearings and public forums are designed to receive substantial community input and individual comment. In addition to those required by law, the Board of Supervisors may hold public hearings or forums on matters when it decides that such hearings will be in the public interest.

ARTICLE 4. BOARD PROCEDURES

- 4.1** In responding to questions, from the media or citizens, Board members should:
- 4.1-1.** Remind the listener that they are not speaking for the entire Board;
 - 4.1-2.** Clarify their position on a particular item;
 - 4.1-3.** Make "no public comment" on closed meeting matters in reference to individuals, real estate, and other areas addressed pursuant to Section 2.2-3711 of the Code of Virginia.
- 4.2** Each Board member must remember that personnel matters are to remain confidential and that it is the obligation of the Board and its membership to protect the privacy of the individual.

Date of Adoption: January 9, 2023

- 4.3 The Board will focus on issues and avoid making derogatory or demeaning public comments about individuals, staff members, fellow Board members, community residents or media representatives.
- 4.4 The Board will follow the procedure of taking no action on items introduced at the table. If any item is presented for the first time during the course of business by Board members, any action will be deferred until the next meeting of the Board, provided, however, an exception will be made to this procedure by majority consent of the Board.
- The Board will direct administrative action in response to items introduced under business by Board members only after a specific Board vote on said item that directs administrative action.
- 4.5 The Board will review its Rules of Procedure for the current year at its January organizational meeting.
- 4.6 Pursuant to §2.2-3707.H of the Code of Virginia, any person may photograph, film, record or otherwise reproduce any portion of a meeting required to be open. The placement and use of equipment necessary for broadcasting, photographing, filming or recording a meeting shall be in such a manner as to prevent interference with the proceedings and to discourage disruptive conduct. Video cameras are to be placed in a designated area adjacent to the Clerk's table and shall remain fixed on the Board activities and any recognized speaker presentations at all times.

ARTICLE 5. AMENDMENT

- 5.1 **Amendments.** These Rules of Procedure may be amended at any meeting of the Board of Supervisors provided that notice of said proposed amendment is given to each member in writing at least five days prior to said meeting.
- 5.2 **Suspension of Rules.** These Rules of Procedure may be suspended in whole or in part only upon the majority vote of the members of the Board of Supervisors present and only when consistent with the Virginia Freedom of Information Act.
- 5.3 **Procedural Issues.** Only Board members shall have standing to raise noncompliance with these Rules of Procedure, and only at the time of the violation. Failure of the Board to comply with these rules of Procedure shall not invalidate any action taken by the Board. Procedural issues not covered by these Rules of Procedure may be guided by Robert's Rules of Order, latest edition. The failure, however, of the Board to comply with Robert's Rules of Order shall not invalidate any action taken by the Board.

Adopted: January 9, 2023


Chairman, Board of Supervisors
Westmoreland County

2. **APPROVAL OF MINUTES**

Chairman Fisher stated that all members had received draft minutes of the regular meeting on December 12, 2022 and special meeting on December 19, 2022. Chairman asked if there were any additions or corrections to these minutes, if not, asked for a motion.

Upon motion by Timothy Trivett, second by Woody Hynson and carried unanimously the Board approved the minutes for December 12, 2022 and December 19, 2022.

3. APPROVAL OF ACCOUNTS PAYABLE LIST AND PAYROLL REGISTER

Chairman Fisher stated that all members had received the list of accounts payable and payroll register and were there any questions, if not, the Chairman asked for a motion.

On motion by Woody Hynson, second by Timothy Trivett and carried unanimously with Russ Culver, Timothy Trivett, Dorothy Dickerson Tate, Woody Hynson and Chairman Fisher voting "aye". The Board approved the accounts payable list and payroll register as submitted by the Finance Department for the month of December 2022.

4. APPROVAL OF APPROPRIATION INCREASE/DECREASE REQUESTS

NONE

5. PERSONAL PROPERTY EXEMPTION FOR HANDICAP VEHICLES – Commissioner of Revenue

William Hoover, Commissioner of Revenue was present to continue the discussion on the information regarding how to handle the personal property exemption for handicap vehicles. He said the choices for the handicap vehicle exemption are either total exemption of the handicap vehicle or partial exemption with a lower tax rate of the handicap vehicle. Mr. Hoover provided the Board with two sample ordinances from other localities for their review. He then asked the Board if they would pick one of the choices mentioned (total or partial exemption) so the Commissioner of Revenue, County Administrator and County Attorney can prepare a draft Ordinance for review.

Mr. Hoover further explained that with either exemption there would be stipulations (as noted on the examples provided). He stated there would be forms in the Commissioner of Revenue's office and individuals would come into the office to complete the form and provide the owner information, vehicle information and description of special equipment modifications. He also stated the owner must provide proof that the vehicle has a disabled license plate. Mr. Hoover also mentioned the list of acceptable modifications are listed on the samples provided, as well as listed in the Code of VA.

Mr. Risavi stated with either choice an individual would receive a tax bill but one would show a reduction and the other would show a bill for .00001 or \$1.00. Mr. Risavi also noted in order to receive this exemption the vehicle must be substantially modified, as Mr. Hoover stated.

Mr. Culver asked if it is possible to add language regarding anyone physically or mentally unable to help themselves. Chairman Fisher noted he isn't sure how the County could make such a determination of mental status. Mr. Risavi said we would request individuals to bring a doctor's note. Mr. Trivett stated these guidelines are already in the State code. Mr. Hoover said under §46.2-731 (Disabled parking license plates; owners of vehicles specially equipped and used to transport persons with disabilities; fees) it discusses this matter. Mr. Risavi said that this section would be referenced in the ordinance.

After discussion, all Board members recommended the total exemption for qualified handicap vehicles. Mr. Risavi noted if the Board agrees, the Commissioner of Revenue, County Administrator and County Attorney will work together to develop a new ordinance regarding personal property total exemption for qualified handicap vehicles for the Board's approval. Once an ordinance has been prepared and advertised for a public hearing it will come back to the Board for a vote.

Upon motion by Russ Culver, second by Woody Hynson and carried unanimously the Board approved the Commissioner of Revenue, County Administrator and County Attorney prepare an ordinance that sets forth a full exemption for qualified handicap vehicles, as presented by the Commissioner of Revenue.

1/4/23, 12:16 PM

James City County, VA Code of Ordinances

Sec. 20-13.5. - Exemption from personal property tax for specially equipped motor vehicles. ①

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- (a) Motor vehicles specially equipped to provide transportation for physically handicapped individuals shall be exempt from personal property taxation if such motor vehicle is licensed with special plates pursuant to section 46.2-731 of the Code of Virginia, as amended, or the owner of the vehicle demonstrates to the commissioner of the revenue that the vehicle is regularly used to transport a person who is disabled, as defined in Virginia Code Section 58.1-3506.3, as amended, and that such disabled person resides in the household of the vehicle owner.
- (b) For the purposes of this section, "motor vehicles specially equipped to provide transportation for physically handicapped individuals" shall mean any motor vehicle adapted with one or more of the following devices to assist an individual who has either lost, or lost the use of, one or both legs, arms, hands or feet:
- (1) Power door operators;
 - (2) Special hand- or foot-operated controls;
 - (3) Lift or ramp for wheelchair or scooters;
 - (4) Special restraint system for wheelchairs;
 - (5) Raised door and roof to allow wheelchair entry;
 - (6) Special steering devices, including, but not limited to, tripins or V grips;
 - (7) Driving aids, including, but not limited to, touch pads, low effort power steering, power steering backup, power parking brake or electronic directional signals; or
 - (8) Roll cages.
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(Ord. No. 107A-15, 2-22-94)

State Law reference— Code of Va., § 58.1-3506.1.

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Sec. 40-220.8. - Tax on motor vehicles specially equipped to provide transportation for physically handicapped individuals.

- (a) For the calendar year beginning January 1, 1994, and ending on December 31, 1994, and for each and every calendar year thereafter, unless changed, there shall be and hereby is levied a tax on all motor vehicles that are specially equipped to provide transportation for physically handicapped individuals, at the rate of one dollar (\$1.00) on every one hundred dollars (\$100.00) of the assessed value thereof.
- (b) When used in this section, the phrase "motor vehicles specially equipped to provide transportation for physically handicapped individuals," shall refer to any motor vehicle adapted with one (1) or more of the following devices:
- (1) Power door operators.
 - (2) Hand controls.
 - (3) Lifts or ramps for wheelchairs or scooters.
 - (4) Special restraints systems for wheelchairs.
 - (5) Raised door and roof to allow wheelchair entry.
 - (6) Special steering devices, such as, but not limited, to, "tri-pins" or "V grips."
 - (7) Driving aids such as, but not limited to, touchpads, low effort power steering, power steering backup, power parking brake or electronic directional signals
 - (8) Roll cages.

In addition to the above listed criteria, to qualify as a motor vehicle specially equipped to provide transportation for physically handicapped vehicles, said motor vehicle must be licensed pursuant to § 46.2-731 of the Code of Virginia.

(Ord. No. 4297-91; Ord. No. 4553-93, § 1)

6. BAY CONSORTIUM WORKFORCE DEVELOPMENT BOARD PRESENTATION

Jackie Davis, Executive Director was recognized and presented information to the Board regarding Bay Consortium. Her presentation was at the request of the Board because of a budget request received by Bay Consortium in November 2021. Ms. Davis presented the Bay Consortium Workforce Development Program. She explained how the organization operates, including their locations and noted they are governed by two boards. Her presentation included the services offered by Bay Consortium.

Mr. Risavi explained the County didn't receive their request until the middle of the fiscal year and it would be difficult now to revise the budget. Ms. Davis explained every two years

they receive federal funds and usually spend 80% of it within the first year and that is why they requested the increase but they can submit the request for the next fiscal year.

Mr. Culver asked how many paid employees do they have? Ms. Davis stated there are six (6) paid employees.

With no further questions that concluded Ms. Davis' presentation.

Bay Consortium Workforce Development Board



Westmoreland County Board of Supervisors
January 9, 2023

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Board Officers

- **Ashley Forbes, Eastern Shore**
- **Greg Moon, Northern Neck**
- **Joshua Gemerek, Middle Peninsula**
- **Lamont Brown, Greater Fredericksburg**

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CLEO Officers

- **Morgan Quick, Chair, Richmond County**
- **Bud Smith, Vice Chair, Essex County**
- **Kevin Marshall, Member-at-Large, Spotsylvania**
- **John Priest, CLEO Liaison, Mathews County**
- **Nicholas Minor, CLEO Liaison, King George**

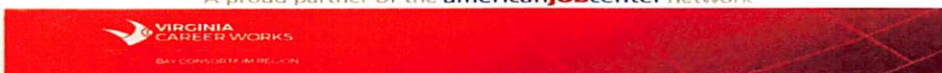
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Staff to the Board

- Lauren Fallin, Executive Assistant
- Giles Scott, WIOA Youth Program Influencer
- JoAnn Murchison, Business Services Representative
- Steven Golas, Program Specialist
- Kristina Allen, Fiscal and Program Specialist
- Jackie Davis, Executive Director

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Vision

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network



Ensure that LWDA 13 has a viable and qualified workforce that is capable of sustaining existing businesses and enticing new businesses by meeting the needs of a vibrant and expanding employment base.

Mission

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network



To achieve the purpose of WIOA and Virginia's strategic and operational vision and goals by providing comprehensive, customer-driven workforce services that connect employers, education providers, job seekers, workers, and youth.

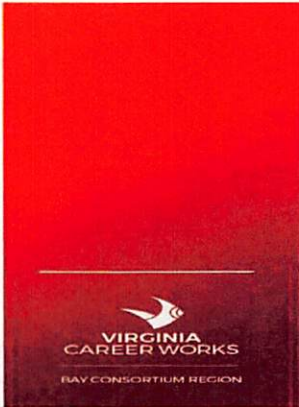
Workforce Development Boards

- 14 different workforce areas
- Conveners of public workforce system
- Oversight of Virginia Career Works Centers



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Local Workforce Development Area



History of Workforce

- U.S. Department of Labor – 1950's
- Workforce Innovation and Opportunity Act (WIOA) - 2014
 - Title I
 - Title II
 - Title III
 - Title IV
- Funding appropriated by Congress annually



What is WIOA?

- Signed into law in July 22, 2014
- Adult Services
 - Provides career and training services to job seekers who 18+
- Dislocated Worker Services
 - Provides training, job search, and other assistance to those who have been laid off
- Youth Services
 - Eligible Youth who are between 14 -24, who have barriers to education, training and employment.
- Business Services
 - Resources to help businesses recruit, train, and retain the ideal workforce.
 - On-the-Job Training, Incumbent Worker Training
 - Research and Planning

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Local Board Membership

- Business Representatives – at least 51%
- Workforce Representatives
- Department of Social Services
- Adult Education
- Higher Education
- Vocational Rehabilitation
- Wager-Peyser Employment Services

Board Member Responsibilities

- Provide strategic and operations oversight
- Participate in developing/modifying Local Plan
- Oversight of Adult, Dislocated Worker and Youth Programs
- Assist in negotiations of performance measures
- Competitively procure providers of adult, dislocated and youth programs
- Competitively procure One-Stop Operator
- Assist in developing budget
- Promote private sector involvement in public workforce system
- Adhere to meeting attendance requirement per By-Laws
- Conduce business as required by Sunshine provisions

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LWDA 13 Service Providers

- **Rappahannock Goodwill Industries**
 - One Stop Operator
 - Adult/Dislocated and Youth Provider
 - Serves PD 16
- **Rappahannock Community College**
 - Adult/Dislocated and Youth Provider
 - Serves PD 17 & 18 (excluding Gloucester)
- **Eastern Shore Community College**
 - Adult Dislocated and Youth Provider
 - Serves PD 22

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Virginia Career Works Centers

- Virginia Career Works Fredericksburg Center
 - PD 16: City of Fredericksburg, Stafford, Spotsylvania, King George and Caroline
 - Comprehensive Center
- Virginia Career Works Northern Neck Center
 - PD 17 Westmoreland, Richmond, Lancaster and Northumberland
 - Affiliate Center

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Virginia Career Works Centers

- Virginia Career Works Eastern Shore Center
 - PD 22 Accomack and Northampton
 - Affiliate Site

Contact for VCW
Jessica Weber
540-513-9182

Jessica.weber@fredgoodwill.org

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Business Services

- Labor Market Information
- Recruitment and retention strategies
- Training
 - On-Job-Training (OJT)
 - Incumbent Worker Training (IWT)
- Organize Job Fairs, Hiring Events
- Streamline partner services

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Middle Peninsula-Northern Neck Hiring Event



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Eastern Shore Hiring Event



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RAY COUNCIL STATE OF VIRGINIA

WIOA Youth Program Influencer

- Career Exploration
- Promoting Work Based Learning
- School System and Youth Groups
 - WIOA Youth Program
 - Assist with job readiness skills (resume, critical skills, etc.)
- Social Media Platforms

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RAY COUNCIL STATE OF VIRGINIA

WIOA Youth Program Influencer

- Coordinate with Community College Navigators
- Coordinate Job Fairs for Local Schools

Contact
Giles Scott
804-875-0331

gscott@baywib.org

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Middlesex High School Career Fair



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King & Queen Central High Resource Fair



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804.733.0000 | www.vacareerworks.com

Stafford Future Expo

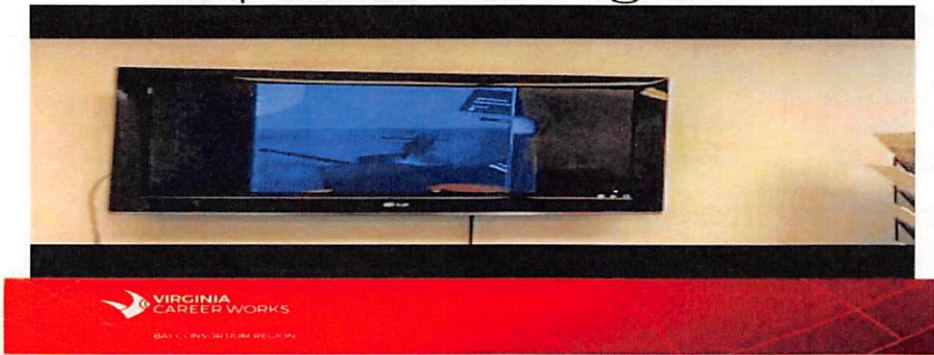


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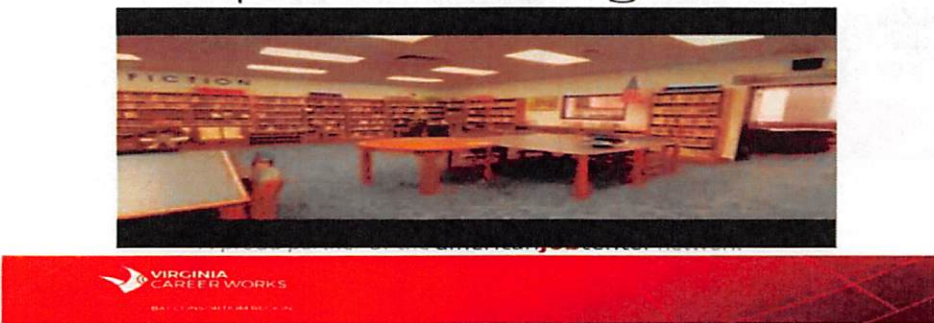


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Virtual Reality Career Exploration Program



Virtual Reality Career Exploration Program



Workforce Systems Programs & Funding

Federally
Funded
Programs

Blended
Funded
Programs

State
Agencies &
Departments



WORKFORCE INNOVATION & OPPORTUNITY ACT (WIOA)


TITLE I	Workforce Development Activities	authorizes job training and related services to unemployed or underemployed individuals and establishes the governance and performance accountability system for WIOA.
TITLE II	Adult Education and Literacy	authorizes education services to assist adults in improving their basic skills, completing secondary education, and transitioning to postsecondary education.
TITLE III	Amendments to the Wagner-Peyser Act	amends the Wagner-Peyser Act of 1933 to integrate the U.S. Employment Service (ES) into the One-Stop system authorized by WIOA.
TITLE IV	Amendments to the Rehabilitation Act of 1973	authorizes employment-related vocational rehabilitation services to individuals with disabilities, to integrate vocational rehabilitation into the One-Stop system; and
TITLE V	General Provisions	specifies transition provisions from WIA to WIOA.



Workforce Development System Blended Programs

- Providing public benefits that include Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance to Needy Families (TANF), Medicaid, Energy Assistance.
- Workforce Services are provided to social service clients to assist them to living wage, family-sustaining career paths.
- TANF and SNAP Employment and Training (SNAP-ET) have federal dollars that pay for customers to engage in education and training opportunities.
- Work Opportunity Tax Credit (WOTC), Work Supplementation and Apprenticeship.



 VIRGINIA CAREER WORKS

Employment Services & Worker Protections

The Virginia Employment Commission (VEC)

The Department of Veteran Services (DVS)

Department of Labor & Industry (DoLI)

Department of Taxation (DoT)

 VIRGINIA CAREER WORKS

Job Creation

Virginia
Economic
Development
Partnership
(VEDP)

Department of
Housing and
Community
Development
(DHCD) —
Go Virginia



Training and Education

State Council of
Higher Education
for Virginia
(SCHEV)

Virginia
Community
College
System (VCCS)

Department of
Education
(VDOE)



7. TOWN OF COLONIAL BEACH/CORRESPONDENCE

Robin Schick, Town Mayor, was recognized and presented the following:

- Appreciate the assistance from Tamara Hackett & County Administrator with the VA Tourism ADA Grants;
- Town Central Drainage bids closed;
- Receipt was signed re Settlement Agreement with County;
- Congratulations NNPD Jerry Davis and Lisa Hall on the NN Historic Designation and Downtown CB selected for the Mobilizing Main Street by the VA Department of Community Development;
- On January 16th, 1:00-3:00 there will be a celebration of Dr. Martin Luther King; and
- Tim Trivett mentioned the Installation of Fire Department officers will be on January 21st at 6pm Reception and 7pm Dinner and Angelo's is catering.

8. TOWN OF MONTROSS/CORRESPONDENCE

Fran Taylor, Montross Town Manager, was recognized and presented the following:

- Construction on Town Park began;
- Playground equipment and pavilion will be in place soon;
- Meeting with vendors regarding new water line are in the works which is just in time because there were 3 breaks over Christmas; and
- Town Council approved the use of the property next to Blue Ridge Bank for town public parking.

9. VIRGINIA DEPARTMENT OF TRANSPORTATION

- A. MONTHLY REPORT - Carter White, was recognized and presented VDOT's Monthly Report. Prior to the review of the report, Mr. White introduced Alvin Balderson who works in the VDOT Structure & Bridge Section and has been with VDOT for 31 years.

Questions and Answers ensued after report was provided.



**Westmoreland County Board of Supervisors
January 2023 VDOT Report**

Maintenance Activity Highlights

Completed:

- Shoulder repair Rt 3 (ongoing)
- Dead animal removal countywide
- Patch potholes countywide
- Address work orders countywide
- Ditch repairs Rt 639

Upcoming:

- Repair stormwater basins Rt 3 (two more)
- Patch potholes countywide
- Grade gravel roads countywide
- Shoulder repair Rt 3 (continued)
- Sign repairs countywide
- Address work orders countywide

Construction Projects

SSYP:

Rt 735 Grannys Bar Rd, Summer 2025
Rt 685 Ashbury Rd; Summer 2027

Rt 652 Charles Way Summer 2025

Revenue Sharing:

Deux Rue, Summer 2023
Egret Ct, Summer 2023
Hickory Ln, Summer 2025
Pinewood Ln, Summer 2025
Lakeview Ln, Summer 2025

Anchor Ct, Summer 2023
Holly Way Ph III, Summer 2023
Birch Ln, Summer 2025
Woodmount Dr, Summer 2025

Bridge:

Rt. 621 at Tidwells Marsh (replacement): Winter 2023

UPC 118262 Rt. 205 over Branch of Rosier Creek; Scour Repair; Spring 2023

UPC 121539 Rt. 658 over Monroe Creek: Spring 2026

Contacts:

VDOT Customer Service Center: 1-800-FOR-ROAD

David L. Beale, P.E

Resident Engineer

(804) 333-7941

david.beale@vdot.virginia.gov

Carter White

Assistant Residency Administrator

(804) 333-7942

carter.white@vdot.virginia.gov

Rex Reichert

Hague Area Headquarters Superintendent

(804) 695-8610

rex.reichert@vdot.virginia.gov

- B. MONROE BAY ROAD STATUS - Carter White, was again recognized and presented information regarding Route 658 in Monroe Bay and the Monroe Bay bridge update.

Mr. White explained the scope of the project stating there are 5 lines of 60 in diameter pipes and 3 lines are showing signs of failure with 2 functioning as they should. The proposed project is to replace the all existing lines with a double line of 8 ft x 6 ft box culverts with headwalls. The original advertisement date for the project was Spring of 2026 but the project has been expedited to October 2024 for construction. VDOT has completed the public hearing portion of the project and there were no requests from the public to have a public hearing. So VDOT has started the right of way acquisition that was already underway and once that has been completed the utilities (a significant amount of utilities) will need to be relocated, this area has a forced main sewer on one side and vacuum sewer on the other, therefore, there are communication lines and power lines that all need to be moved. Mr. White noted that the environmental permit process, which has already begun, will be next. All efforts are being made to expedite the project at this time. After the investigation by the Structure and Bridge Safety inspection on December 23rd that led to the closure of this section of roadway. Discussions have been occurring to possibly re-open the road to traffic until construction of the box culverts can occur. Mr. White said a couple solutions that have been tossed around are fill in the 3 failing pipes but that could potentially create high water further upstream and possibly flood Stony Knoll Road. No analysis has been done yet but this option isn't likely to happen. Another possibility is a temporary one lane bridge. There is an active procurement for a one lane bridge in the works for this type of emergency situation. Mr. White said that no matter what happens temporarily, once the phase begins to build the actual permanent structure the road will need to be closed for several months and there will be a detour. He stated right now VDOT is trying to get the road open until the actual construction begins.

Mr. Hyson asked how much risk or no risk to just leave the bridge open, as is, until construction begins. Mr. White stated the issues with the bridge are too serious to leave it open, as is.

Mr. Hynson asked how quick a temporary bridge can be installed. Mr. White said he isn't sure but as soon as they know a timeline he will let the Board know. Mr. Balderson asked to comment, and stated that the temporary bridge could be built fairly quickly. Mr. Balderson stated that the active procurement process has been on going with the company that constructs the temporary one lane bridge and the PO has been submitted. When the process was first started the delivery timeline was 6 months so he believes delivery should be soon but does not have a date yet. Once the temporary bridge is here and a footer or sub-footer for the bridge to sit on is constructed, it will take approximately 3-4 weeks.

Mr. Hynson stated with warmer weather coming the traffic will increase and that would be a nightmare. So can this temporary bridge be completed prior to that and if not can they just open the bridge to avoid the horrible traffic this will cause.

Mr. Balderson stated with the condition the bridge is in it would pose an extreme liability to open it up as is. Mr. White also advised if anyone is moving the barricades to drive over the bridge, he strongly suggests not to do that. Mr. Balderson responded that people cannot move the barricades now because he has installed 6 concrete block walls there.

Mr. Risavi said the Board is prepared to pass a resolution to send to VDOT to explain the urgency of this project and ask to accelerate the project more that it has already done.

Mr. Trivett asked if there is anything that could possibly hinder the installation of the temporary bridge. Mr. White stated that he isn't sure but if there are additional utilities that need to be moved or raised to install the temporary bridge that is the only thing that could slow the process down but they are already looking into it.

Mr. Trivett asked if it would be a one lane bridge with traffic lights or how would it work? Mr. White stated there are discussions currently being had as to the best way to proceed either with traffic lights or stop signs.

Mr. Trivett asked what the bridge would look like. Mr. Balderson said these are called Bailey bridges and are put together piece by piece. It is a truss panel bridge and they would lay 3x6 panels and the width of the bridge would be 13.6 feet from guard rail to guard rail. Mr. Balderson noted there is one on Route 644 in Spotsylvania County.

Mr. Trivett asked if there is a weight restriction. Mr. Balderson stated it is an HS90 load rating meaning a tractor trailer fully loaded could drive on it.

Mr. Trivett asked if any permission from land owners are needed. Mr. Balderson and Mr. White said no that this is within the existing right of way and the footers of the bridge are 21 ft from out to out and this would be done within the existing pavement. Also, they have been out recently looking at height of the power lines and it appears they are good to go. This bridge will be about 3 foot above the current road way.

Mr. Trivett then asked if this temporary bridge would it stay in place while the permanent bridge is completed. Mr. White and Mr. Balderson said no, this only bridges the gap up to 18 months until the actual construction begins and at that time the road will be closed and there is no way around that.

Mr. Trivett asked how long will it take to construct the permanent bridge. Mr. Balderson said approximately 8 months, as long as everything goes well.

No other questions were asked of the Board. Chairman Fisher stated the Board would pass this resolution and send it onto VDOT and hopefully it will speed along the process. Chairman Fisher asked for a motion.

Upon motion by Woody Hynson, second by Timothy Trivett and carried unanimously, the Board approved the Resolution regarding the Monroe Bay Road Project to forward to VDOT.

Chairman Fisher asked if there were any additional questions from the Board to VDOT.

Mr. Hyson stated everyone knew it would not go smooth when VDOT decided to close one way coming out of Westmoreland Shores and he has been contacted many times with complaints. So he asked Mr. Carter to do what he can to help. People are either five minutes late coming home or going to work because of the traffic and the speeding has gotten worse. Mr. Hynson said some residents are asking for speed bumps, anything to slow the traffic down some.

Mr. White stated he would speak with the State Police and the Sheriff's office but most of the speed limits in that residential area are between 25 mph and 35 mph. Mr. White again said he would speak with State and County law enforcement, as well as, request more speed limit signs.

At this point, there were many people that asked to speak. Chairman Fisher originally thought it was on or two people that wanted to comment but then turned into several. Chairman Fisher announced this was not a public hearing and then asked if the solutions VDOT provided were acceptable. Most people stated no and several

began to speak without coming to the podium. One gentlemen said this is all after the fact and this bridge has been deteriorating for 14 years and he will speak during the comment period. There were two people that interjected their concern regarding the detour through residential neighborhoods and that people speed and create an unsafe environment for the people living in those areas. Another gentleman noted what would happen with left hand turns because if you have a tractor trailer or RV you won't be able to make that turn. Mr. White said he would take these concerns to the engineers for further review.

One resident stated the speeding through Westmoreland Shores is horrible. Where Holly Vista changes to Rolando there are pot holes and people don't stop for school busses. This is a safety matter for the community and the roads need to be policed or rumble strips put down to stop speeders. Mr. White again said he would contact the State police, local sheriff's office, as well as the engineer regarding these concerns.

Mr. Risavi asked if other citizens have comments or complaints to please email them to our administrative office.

**** NEXT PAGE – RESOLUTION ****

DARRYLE FISHER, CHAIRMAN
ELECTION DISTRICT NO. 1
HAGUE, VIRGINIA 22469

W. W. HYNSON, VICE CHAIRMAN
ELECTION DISTRICT NO. 4
COLONIAL BEACH, VIRGINIA 22443

RUSS CULVER
ELECTION DISTRICT NO. 2
MONTROSS, VIRGINIA 22520

DOROTHY DICKERSON TATE
ELECTION DISTRICT NO. 3
MONTROSS, VIRGINIA 22520

TIMOTHY J. TRIVETT
ELECTION DISTRICT NO. 5
COLONIAL BEACH, VIRGINIA 22443



NORM RISAVI
County Administrator
P. O. BOX 1000
MONTROSS, VIRGINIA 22520-1000
PHONE: 804/493-0130
FAX: 804/493-0134
E-mail: nrisavi@westmoreland-county.org
Web Page: www.westmoreland-county.org

WESTMORELAND COUNTY, VIRGINIA

Board of Supervisors

MONTROSS, VIRGINIA 22520-1000

**RESOLUTION
CLOSURE OF ROUTE 658 OVER MONROE CREEK
TIMELINE FOR REPAIR COMPLETION**

WHEREAS, the proposed timeline of approximately two (2) years to complete the necessary work on Route 658 over Monroe Creek is very problematic for this transportation route; and

WHEREAS, this disruption causes many issues for the residents and public safety responders within our jurisdiction and we strongly encourage Virginia Department of Transportation to examine methods to expedite these repairs to a shorter time frame; and

NOW THEREFORE BE IT RESOLVED, the Westmoreland County Board of Supervisors request that the Virginia Department of Transportation re-evaluate the project and shorten the repair time frame to service the users of this roadway.

BE IT FURTHER RESOLVED, the Westmoreland County Board of Supervisors direct the County Administrator to forward this Resolution to the Northern Neck Resident Engineer expressing our concern regarding this issue.

Darryl E. Fisher

Darryl Fisher, Chairman
Westmoreland County Board of Supervisors

Darryl Fisher	"aye"
W.W. Hynson	"aye"
Russ Culver	"aye"
Dorothy Dickerson-Tate	"aye"
Tim Trivett	"aye"

10. OLD BUSINESS

Appointment: Wetlands Board – Jane Bergeron: Timothy Trivett nominated Jane Bergeron for reappointment to the Wetlands Board. Land Use employee has discussed this with Ms. Bergeron and she has agreed to the reappointment. Chairman Fisher asked for a motion to approve.

On motion by Timothy Trivett, second by Dorothy Dickerson Tate and carried unanimously, the Board reappointed Ms. Jane Bergeron to serve as the representative for District 5 on the Westmoreland County Wetlands Board.

11. NEW BUSINESS

- A. Stratford Harbor HOA – Dam Financing Options – Mr. Risavi stated that he met with representatives of the Stratford Harbor HOA; Carter White, VDOT; Bill Cease and Karen Lewis regarding critical, mandated repairs to Lake Independence Dam in Stratford Harbor. They currently have an engineering study being done and Fran Taylor spoke to the seriousness of the matter. Fran also stated the estimate to repair the dam is about \$500,000-\$750,000; the HOA has already spent \$256,000 and currently has \$250,000 saved. Mr. Risavi stated Rural Development could finance and their rate would run about 7% or 8% but Rural Development will loan money only with some type of financial pledge of security. Mr. Risavi stated the HOA representatives will get all the information needed for the Rural Development loan and then schedule a follow up meeting to review the information.

**** NEXT PAGE – INFORMATION SHEET ****



Stratford Harbour Property Owners Association
2657 N. Independence Drive, Montross, VA 22520
(804) 493-8180 office@shpoava.org FAX (804) 493-8480

INFORMATION SHEET

CRITICAL DAM SAFETY ISSUE IN WESTMORELAND COUNTY, VIRGINIA

January 2023

We are here on behalf of the Stratford Harbour Property Owners Association to request your assistance in funding for critical, mandated repairs to the Lake Independence Dam. Preservation of this dam is directly tied to many Commonwealth interests, including public roads, services, and safety; environmental concerns; and impact on the tax base.

The Lake Independence Dam is a 600-foot-long earthen dam located along Cold Harbor Creek, which outfalls to the Potomac River in Westmoreland County, Virginia. The dam contains the approximately 100-acre Lake Independence. State Route 693 (Independence Drive) runs for the entire length of the crest of the dam. The Stratford Harbour Property Owners Association operates and maintains the dam with oversight by the Virginia Department of Conservation and Recreation (DCR). Stratford Harbour is a residential community; after Colonial Beach, we are the largest community in Westmoreland County.

The earthen dam was constructed in the 1970s and is at risk of failure as it ages. By late 2021, routine assessments by Stratford Harbour volunteers revealed uncontrolled seepage on the dam face, indicating likely internal erosion. In February 2022, in accordance with DCR recommendations, we conducted an industry-standard Potential Failure Mode Analysis, in which a panel of six professional dam engineers recommended risk mitigations. We issued a Request for Proposals (RFP) to engineering firms known to DCR. By August 2022, new and worsening seepage prompted DCR to place the dam in the status of Emergency Stage 2, which indicates a quickly-accelerating operational malfunction that could result in failure of the dam. At DCR direction, we drew down the lake water level by more than two feet as an interim emergency step, mitigating the seepage and relieving pressure on the dam. Volunteers have spent countless hours in fulfilling the DCR requirement to monitor the dam condition during the ongoing emergency.

With proposals having been received pursuant to the RFP, Stratford Harbour contracted with Hazen Engineering, Richmond, Virginia, for an evaluation and design plan for repair of the dam, at a cost of approximately \$200,000. Hazen Engineering now serves as our Engineer of Record and will oversee the future repair of the dam under DCR regulation. The drawdown of the lake level preserved the dam pending repairs, and we are currently operating at Emergency Stage 1 (for a slowly-developing situation) under an Interim Operational Permit expiring in May 2023, renewable if repairs are progressing as directed by DCR. Engineering analysis is going forward on schedule and construction plans are expected by the end of March 2023. Construction costs will not be available until the design is complete and bids are received, but could likely be in the \$800,000 to \$1,000,000 range.

The impact of failure of the Lake Independence Dam would include the following:

- Loss of the public roadway (State Route 693), which would bisect the community and impede services of police, fire and rescue, school transportation, mail delivery service.
- Potential loss of human life if an occupied vehicle using State Route 693, or boaters or swimmers in Lake Independence, cannot avoid being swept away when breach occurs.
- Environmental impacts, including threats to diverse wildlife and wetlands (as part of Potomac River watershed) and identified endangered species.
- Loss of water service, as a community water line runs across the dam.
- Loss of lake water as a firefighting resource.
- Loss of tax revenue to Westmoreland County from the devaluation of real property (Stratford Harbour total property value approx. \$173,000,000)
- Loss of the Stratford Harbour marina, on Cold Harbor Creek and used by first responders as recently as December 2022 to launch emergency watercraft in a Potomac River rescue.
- Loss of recreational use of the marina and lake.

The Lake Independence Dam is an essential asset, not merely for the residents of the Stratford Harbour community, but also to safeguard the lives and preserve the property of the citizens of Westmoreland County and the Northern Neck who may live or work in the vicinity of State Route 693 or who use the Potomac River downstream from Colonial Beach. Preservation of the dam is also essential to the local environment and the tax base of the County. For the above reasons, the interests of the Commonwealth and the public are compelling.

- B. Law Library Fee Ordinance - Mr. Risavi stated that he has received several requests to bring back the Law Library service which is now in Fredericksburg with limited access on line for residents. Residents would like to have this service at the Montross library and electronic version at all the library locations and that would alleviate residents traveling to Fredericksburg to use the service. Mr. Risavi said the question is does the Board want us to prepare an ordinance which would allow access to all civil actions for a fee and then the money would be remitted to the Rappahannock Regional Library on a monthly basis.

Mr. Hynson wanted to know why this service was removed from RCC and how much money did it generate. Mr. Risavi stated he thought because most of the information became electronic. Mr. Risavi would have to look back to see how much money this generated.

The Board agreed to table this matter until they can get more information regarding expense vs number of users.

12. COUNTY ADMINISTRATOR'S COMMENTS

- A. Update on Chandler's Mill Pond – Mr. Risavi noted he received an email from DWR, in which they have outlined the estimated timeline for repair of the pond to be approximately 18 months from time the project begins (see email below).

**** NEXT PAGE – EMAIL FROM DWR ****

Donna Cogswell

From: Norm Risavi
Sent: Monday, December 19, 2022 9:26 AM
To: Donna Cogswell
Subject: FW: Chandlers Mill Pond Update

From: Kirk, John (DWR) [mailto:John.Kirk@dwr.virginia.gov]
Sent: Monday, December 19, 2022 9:24 AM
To: Norm Risavi <nrisavi@westmoreland-county.org>
Cc: Brown, Ryan (DWR) <Ryan.Brown@dwr.virginia.gov>; Gwynn, Becky (DWR) <Becky.Gwynn@dwr.virginia.gov>
Subject: Chandlers Mill Pond Update

Caution: This message is from an external source. Please use caution clicking links or opening files if you did not expect to receive them.

Good Morning Norm,

Per our conversation this morning we are currently finalizing contracts with the A&E Firm and working on finalizing permitting to continue with the repair work at Chandlers Mill Pond.

My tentative-timeline is as follows.

- Contract and permits finalized by mid-January
- Site meeting with appropriate stakeholders mid-January
- Contractor begin to mobilize and continue work Early to mid-February
- Estimated time for completion is 18 months from time of contractor starting

Per your question of when would the pond would be back full, at this time I would estimate approximately 2 years but that will ultimately be based on construction timing.

Please let me know if you have any additional questions.

Sincerely,

John



John Kirk

Capital Programs Manager, VCCO

M 804.754.6895

Virginia Department of Wildlife Resources

CONSERVE. CONNECT. PROTECT.

A 7870 Villa Park Dr., P.O. Box 90778, Henrico, VA 23228-0778

www.dwr.virginia.gov

- B. Update Industrial Park Basin Repair - Mr. Risavi discussed the Industrial Park Basin Repair that has now been completed. The contractor has done a good job at repairing and replacing some of the areas. Resource International will do final inspection this week and that will complete the project.

INDUSTRIAL PARK BASIN REPAIR - COMPLETED







- C. Update Cabin Point Beach Living Shoreline Project GHCPD - Mr. Risavi discussed the completed project as set forth in the series of pictures and chronological list of events attached. The contractor did a very good job and the Association is very happy with the final product.

**** NEXT PAGE – CHRONOLOGICAL OUTLINE & PICTURES ****

GHCPA Cabin Point Beach Project

Chronology of Construction from October 25 to December 7, 2023.

October 25 -- Day one of construction laying the filter paper and smaller rock foundation before placing the large armor stone for breakwater #2 at Cabin Point Beach.

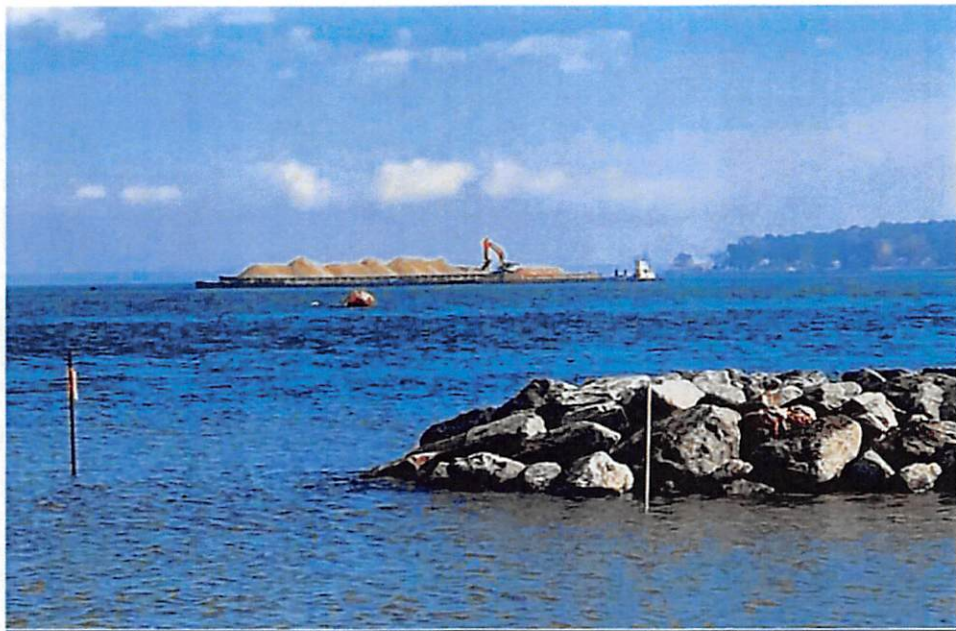
October 26 -- Day 2 of Cabin Point Beach. Lots of filter paper is being put down today and small rock foundation.

October 27 -- Day 3 is windy, and the river is rough, but the work continued with larger rock. The barges are all tethered offshore after finishing for the day, so they do not damage the breakwaters or groins.

October 28 -- Day 4- no work today but some low tide shots of the work in progress. Have a safe Halloween and great weekend.

Day 5/6- missed yesterday. There was a lot of progress over the two days. Two barges are working now AND another sand barge arrived.





November 2 -- Day 7 and so much amazing progress. The first rock barge is empty, and they have begun backfilling the groins with sand. Fascinating to watch them use machines like hand extensions.





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November 3 -- Day 8- slow day. A little sand was moved around while they waited for the next rock barge.

November 7 -- Day 9 -There is a lot going on today. A new rock barge arrived last night. Breakwater construction starts again. The first sand barge is almost empty and will return to Delaware for a new load of sand. There will be another rock barge arriving when this one is empty.

Just a little background on the workers. Where do they go each day after work?

The man with the twin engine boat lives just across the river is St. Mary's. The men stay there during the week and head home on Fridays. Some live in Williamsburg, some in VA Beach. The large tug is docked at the house where the men are staying. They cross 9 miles by boat every morning to get to the job site.

November 8 -- Day 10- Bit of a Rough commute this morning as the river is angry today. Even with the wave action, the work continues. More rocks are being placed today. The sand is already starting to bleach out and turn white.

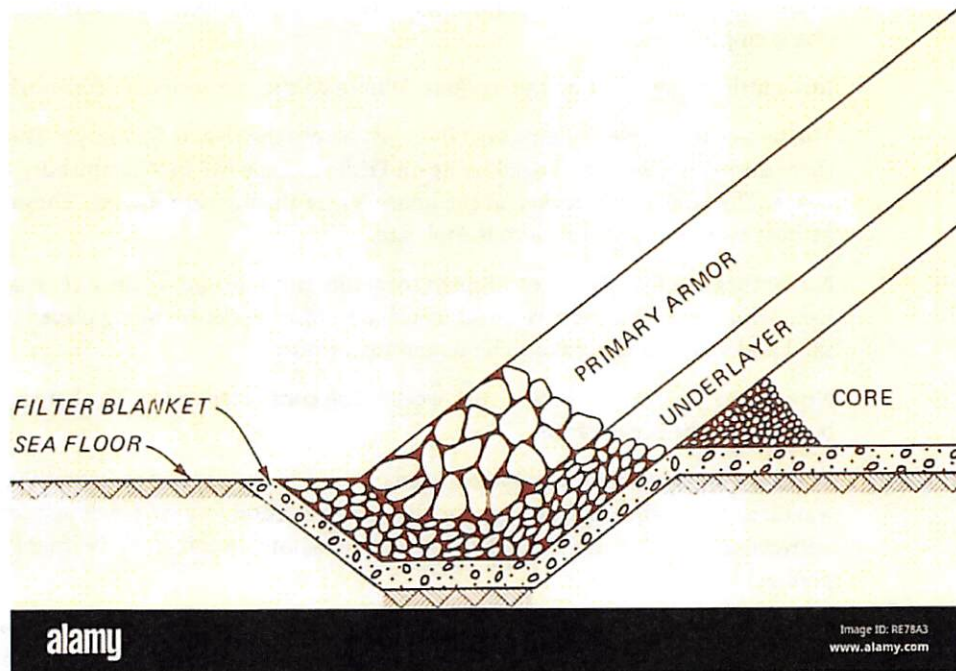
November 9 -- Day 11 - Lots of rock work being completed today. The barges were busy building up the breakwaters.

What is a breakwater? A breakwater is an offshore shore-parallel structure that "breaks" waves, reducing the wave energy reaching the beach and fostering sediment accretion between the beach and the breakwater. (Editor's note: credit Janet Zwirner for today's photos.)

November 14 -- Day 15 - A lot is going on today. Two excavators working at each end. Almost 6 breakwaters finished. Watch how they use the machine like an extension of their hand to place 1 rock. They use the water to wash the small rocks into the crevasses.

November 15 -- Day 16 - Cloudy and cold but still working. Breakwaters 1-6 are done. Putting down filter paper for #7. Watch how the excavator maneuvers the paper and then anchors it with armor stone. Next step is laying the smaller base of rocks to support the large stones.

November 16 – Day 17 - What is under that pile of rocks they are building? See the diagram. Two empty barges left today. They finished #7 and half of #8 breakwaters. Next up, extending the channel rock and building up the height of the current rock.



November 18-- Day 17 and 18 - Friday is an off day for the crew. They worked yesterday to finish breakwater #8. All the barges are empty. One more rock barge on the way to complete #9. Then on to the extension of the channel rock and raising the height of the rock. The working barge is parked at the last breakwater before the channel. The beach looks amazing.

November 21 -- Day 19 - The rock barge arrived, and work has begun on the channel extension. The length and height of the inlet channel will be increased.

FUN FACT - what are those jelly blobs on the beach? If you have had a chance to walk the beach lately, you may have seen a lot of what looks like jellyfish on the shoreline. These are not jellyfish; they are tunicates otherwise known as "salps". They are 97% water and feed on phytoplankton which is plentiful when the water is warm. When their food source is gone, they die off and wash up on the shore. By the time they reach the shore, they are dead. They come in many shapes and sizes. At Cabin Point, they look like jello blobs.

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November 22 -- Day 20 - VERY busy today. Two excavators “Rock” in and rolling. One excavator working on breakwater #9, laying back filter paper. The second excavator built up the height of the channel rock. We also received another load of sand at breakwater #1. This sand is black but should wash out clean.

November 23 -- Happy Thanksgiving Eve. The crew stopped around 1:30 today for the holiday. Another load of sand was placed on #7. The “rivah” was beautiful today. Channel rock is finished and #9 is half done.

November 24 -- Happy Thanksgiving from our welcome beach visitors. They seem to be enjoying the remodeling project.



November 28 -- Day 22 - Breakwater #8 is complete and #9 is about 50% completed. White caps in the water this morning so a bit rough out there.

Fun fact- How much rock has been barged from Delaware for this project? Well, the contract called for 542 CY. What the heck is a CY? A CY is a cubic yard. So, what does that mean in terms of tons. Here is a test of your math skills for those who want to have fun...

A cubic yard of rock equals 3000 pounds, A short ton weighs around 2000 lbs., so number of tons, $3000 / 2000 = 1.5$ short tons, in this regard, "how many tons in a cubic yard of rock", so, generally there are 1.5 short tons of rocks in a cubic yard. This is the standard weight of rock in tons per cubic yard used for billing purposes. (Editor's note: we later learned this contractor uses 1.6 short tons of rock in a cubic yard for this project.)

November 29 -- DAY 23 - THE SANDMAN ARRIVED TODAY. Sand is being removed from the channel and placed at breakwater 7 and 8. All the breakwater structures are completed. More sand will be removed from the channel tomorrow. This crew works long hours but when quitting time comes, the tug captain gathers the crew and full steam ahead back to the Maryland shores.

November 30 -- DAY 24 - A rainy day but that does not stop the work or the daily report. Sand, sand, sand and more sand is being placed on the shoreline behind the breakwaters. The sand being placed is coming from the Cabin Point channel inlet.

Fun Fact #1 - Who are these guys doing the work? The company is Coastal Design and Construction owned by Jim Gunn. Since March 1978, James Gunn has served as Principal Owner and President of Coastal Design & Construction, Inc. He has more than 45 years of experience in all aspects of marine construction. His expertise includes living shorelines, dredging, rock structures (revetments, jetties, groins, breakwaters), stream restoration, tidal marsh creation, and wetlands mitigation.

Fun Fact #2 - What's with the names on these barges? Well, the main barge CD&C stands for the company name and was built in Norfolk about 5 years ago. The RICHARD E. And RICHARD C. are named for the owner's father and son. The LUCY is named after his wife. The EMILY is named after his daughter.

December 1 -- Day 25 - Cold day but the work continued. The jetty is finished, and the sand has been spread. Inspection tomorrow morning to review what is left to be completed. Oyster shells will be arriving to complete the living shoreline project.

December 2 -- Day 26 - The rock and beach work are complete. Oyster shell seeding hopefully starts Monday. The barges are leaving and heading to their next job. Jeanne Axtell (GHCPA President) and Debbie Dever (Chair, Waterway Committee) met with the owner and project managers today to inspect the work. Two of the barges will be going in for repair. The rest will be headed to a two-year project.

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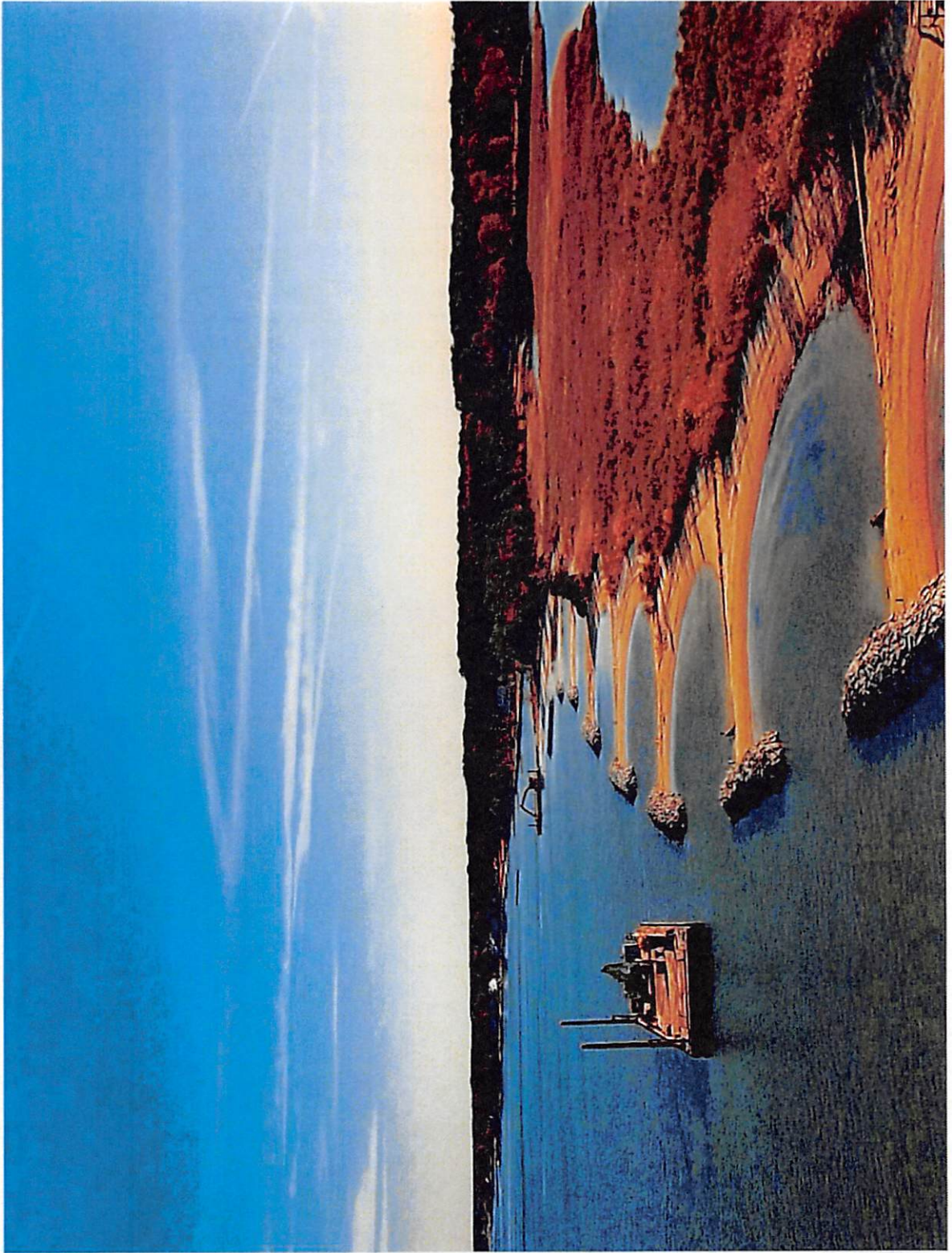
Fun Fact - The sand which was purchased for the project came from the Nanticoke River in Seaford, Delaware and was brought here on barges. The remainder of the sand replenishment came from the man-made portion of the CP Creek inlet channel.

December 3 -- Thanks to everyone who attended the GHCPA community meeting today. Stay tuned for the wrap up of the Cabin Point Beach project next week. Oysters are on the way. NEXT UP: Community beach clean-up day for our beaches coming in the spring.

December 7 -- **FINAL DAY** - well this project is complete for now. Today was the final day of work and the oyster shells were spread to complete this living shoreline project. We will be doing inspections throughout the year to evaluate the project. The oyster shells are shot through a machine on the vessel.

FINAL FUN FACT - How many oyster shells were spread on the front/river side toe of the breakwaters... 12.7 tons or 450 Bushels of Virginia Oysters.





D. Well Replacement Project Update – Mr. Risavi discussed the latest update from Resource International regarding the well replacement project behind the AT Johnson building. The price tag quoted for this project was \$1M and the County was able to receive a grant from the Department of Housing and Community Development in the amount of approximately \$700,000 and the additional amount came from ARPA funds which paid the difference, therefore no funds were need for this project which is now coming to completion.

The contractor will complete this project by the end of the month which is just in time because the Town of Montross needs this work done for them to move forward with their project.



Westmorland County New well Project
Resource Project Number: 94024.112
Progress summary report
December 2022

Contractor name: Sydnor Hydro Inc.
Sub-Contractor name: Toano
Notice of award to contractor: 05/11/2022
Pre-Construction Meeting date: 06/03/2022
Notice To Proceed (NTP) date: 06/13/2022
Substantially completion days: 240 days after NTP

Completed items before December 2022

Pilot Hole drilling
Geophysical log
Casing and screen installation
Monitoring tube (1.25") installation
Well grouting
Well development

Pump test (yield & drawdown)
Water quality test
Installation of pitless
Installation of well pump
Piping from new well to existing well house
Install 8" ductile iron pipe from pitless to existing well house

Progress during December 2022

- Installed all the timber matting and black mats around the site to allow for the vault delivery and installation.
- Set up and offload vault lid and vault.
- Set the vault/backfilled around the unit and staged mats and materials for installation of the components
- Start the installation of the piping
- Pipe and valve installation
- Pipe and valve installation/install temporary heat tape and insulation on exterior pipe at well house until weather permits painting with Aerolon coating.
- Pipe installation/cut and set grate for sump pump, sump discharge piping. Run conduit in vault and weather tight junction box for sump.
- Sump pump installation and piping

Scheduled Items for January 2023:

- Finish up all piping and tie in the vault to the County line
- Finish running conduit and receptacle for sump and set the lid. Install disconnect at well site. Punch work, Site work, clean up and seed and straw.



Figure 1- Vault Valve Excavation and preparation



Figure 2- Vault Installation

- E. Receipt for Payment Under Settlement Agreement – Mr. Risavi asked to make the receipt for the settlement agreement that was signed by the Town of Colonial Beach and the Chairman of the Board of Supervisor’s part of the record.

Upon motion by Tim Trivett, second by Woody Hynson and carried unanimously with all board members voting “aye”, the Board authorized the receipt for payment under the settlement agreement between Colonial Beach and Westmoreland County to be entered into the minutes.

**** NEXT PAGE – RECEIPT FOR SETTLEMENT AGREEMENT ****

RECEIPT FOR PAYMENT UNDER SETTLEMENT AGREEMENT

This Receipt for Payment under Settlement Agreement (this "Receipt") is pursuant to the following:

Whereas, the Town of Colonial Beach, a Virginia municipal corporation (the "Town"), and the County of Westmoreland, a body politic and a political subdivision of the Commonwealth of Virginia (the "County") (together the "Parties"), entered into a Settlement Agreement effective November 21, 2022 regarding a Wastewater Agreement dated November 25, 2002 (the "Wastewater Agreement");

Whereas, the Wastewater Agreement set forth the agreement between the Parties regarding the joint use, operation, maintenance, and improvement of the Town's Wastewater Treatment Facility (the "Facility");

Whereas, a disagreement between the Parties as to certain provisions of the Wastewater Agreement led to a lawsuit in the Westmoreland County Circuit Court identified as Civil Action Number 2020-115 (the "Lawsuit"); and

Whereas, the Parties settled the Lawsuit, which resulted in the Settlement Agreement.

Whereas, under paragraph 2 (Additional Capacity and Upgrade Costs Payment) of the Settlement Agreement, the County agreed to make payment to the Town for not less than 107,900 but not more than 300,000 gallons per day of additional Facility capacity, at the rate of \$2.90 per gallon plus Upgrade Costs at the rate of \$1.334615 per gallon.

Whereas, under paragraph 4 (No Waiver) of the Settlement Agreement, the Town does not waive any argument or defense the Town has or might have regarding claims the County has made or might make.

Whereas, under paragraph 5 (Upgrade Costs) of the Settlement agreement, the Town reserves all rights under the Settlement Agreement.

Whereas, paragraph 6 (Modification) of the Settlement Agreement states that the Settlement Agreement shall not be altered, amended, modified, or rescinded except by an instrument in writing signed by each of the Parties.

Whereas, the County has paid the Town \$533,078 and \$245,329 (the "Payments") under paragraph 2 of the Settlement Agreement, for 183,820 gallons per day of additional capacity, bringing County capacity to 483,820 gallons (per 300,000 previously paid for + 183,820 under the Settlement Agreement), resulting in the County's current proportionate share of upgrade costs being 24.2% (per 483,820 of the 2,000,000 Facility capacity).

Whereas, under paragraph 2 of the Settlement Agreement, the Payments break down as follows:

- 183,820 gallons of additional capacity @ \$2.90 per gallon = \$533,078
- 183,820 gallons of Upgrade Costs @ \$1.334615 per gallon = \$245,329

Whereas, the Richmond, Virginia, office of Rural Development of the United States Department of Agriculture has requested "a signed receipt for the additional capacity and plant operations costs charged by the Town of Colonial Beach."


By its execution of this Receipt, the Town acknowledges receipt of the Payments.

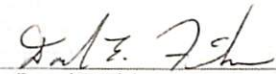
The Parties agree that this Receipt in no way alters, amends, modifies, or rescinds the Settlement Agreement, under its paragraph 6 or otherwise.

The Parties further agree that the Town's execution of this Receipt in no way waives any argument or defense of the Town, including without limitation any argument or defense set forth under paragraph 4 of the Settlement Agreement, and that the Town continues to reserve all rights under the Settlement Agreement, including without limitation as set forth in its paragraph 5.

TOWN OF COLONIAL BEACH

COUNTY OF WESTMORELAND

By: 
 Robin M. Schick, Mayor
 Mayor
 Date of Execution: 12/24/22

By: 
 Darryl E. Fisher
 Chairman, Board of Supervisors
 Date of Execution: 1/6/23

VIRGINIA : IN THE CIRCUIT COURT OF WESTMORELAND COUNTY

<p>TOWN OF COLONIAL BEACH, VIRGINIA,</p> <p style="text-align: center;">Plaintiff</p> <p>v.</p> <p>COUNTY OF WESTMORELAND, VIRGINIA</p> <p style="text-align: center;">Defendant</p>	<p>Civil Action No. 2020-115</p>
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DISMISSAL ORDER

This day came the Plaintiff, the Town of Colonial Beach, Virginia, by counsel, upon its Motion to Dismiss pursuant to a Settlement Agreement with the Defendant, the County of Westmoreland, Virginia.

Upon consideration thereof, and it appearing proper to do so, the Court hereby dismisses this case with prejudice, and ORDERS that it be removed from the docket and placed among the ended causes. The clerk shall forward a copy of this order to each counsel of record.

Entered this 16th day of January, 2023
By: [Signature]
Judge

I ask for this:

[Signature]
Stefan M. Calos (VSB #27405)
SANDS ANDERSON PC
Colonial Beach Town Attorney
1111 E. Main Street, 24th Floor
Richmond, Virginia 23219
(804) 648-1636
SCalos@SandsAnderson.com

[Counsel for Defendant's Endorsement Page follows]

COLONIAL BEACH v. WESTMORELAND
Westmoreland Circuit Court No. 2020-115
Dismissal Order
Counsel for Defendant's Endorsement Page

Seen and agreed:

By Stephen M. Lator, with permission
Richard H. Stuart *via email 12/6/2022*
Westmoreland County Attorney
Post Office Box 1146
Montross, Virginia 22520
richard.stuart@gmail.com

Mr. Risavi asked to continue this meeting to January 17th at some time in the morning because we need to hold a public hearing to amend the budget for the project in Coles Point because only part of the budget was approved. The advertisement states the public hearing will be at 9:30 am.

13. PUBLIC COMMENT

Chairman Fisher explained the procedure for addressing the Board during public comment period is that this is just that a public comment period and not a question and answer period. When you come up to the podium you should have something to state

to the Board that you want us to recognize, acknowledge or take some future action on, that is the intent of this time. Individuals are provided no longer than three (3) minutes to make that presentation. If your presentation includes a question, it is the prerogative of the Chairman to address that question now or at a later time or refer you to another agency. Chairman then asked if anyone would like to speak to please come to the podium and state your name and begin your 3 minutes.

Frederick Howe, III - spoke further regarding the Monroe Bay bridge issue and he has left the information he was going to discuss, as well as, a FOIA request for VDOT with the Clerk. He again states this should have been taken care of many years ago and there should have been a plan in place.

Mike Mills – Congratulate Tim Trivett, it's a good start. Last month he provided each person with his contact information and asked to be contacted and the only two people to reach out were Tim Trivett and Dorothy Dickerson Tate.

Richard Wilkins – Stated he has been trying to get an answer for 6 months on our emergency notification system. He spoke with Bill Cease and he stated the County emergency system is only weather related. He thinks it should include more than weather.

Lewis Thompson – Recommended again staggering elections. If for whatever reason, let's say 3 members were replaced and the other 2 were incapacitated, this County would be in a bind because there would be no continuity nor knowledge of history of prior matters before the Board.

James Hall - Thank you for your help with the dump issue over the last few months.

Tom Jeffries – He discussed NNRJ and what he referred to as problems within the jail.

There being no further comments. Chairman closed the public comment period and thanked everyone for participating today.

Mr. Trivett asked to respond to Mr. Thompson's comment regarding staggering the elections. He agrees with this change and if this is put to a vote he would approve.

RECESS

There being no further business to come before the Board at this time, on motion by Tim Trivett, second by Dorothy Dickerson Tate, and carried unanimously, the Board recessed the meeting at approximately 7:57 p.m. and will adjourn again on Tuesday, January 17th at 9:30 a.m.

Chairman, *Darryl E. Fisher*