

A Regular Meeting of the Westmoreland County Board of Supervisors was held Monday, July 8, 2024, in the public meeting room of the George D. English, Sr. Memorial Building, located at 111 Polk Street, Montross, Virginia. Those members present were W. W. Hynson, Darryl Fisher, Jeffrey McCormack, Matthew Ingram, and Timothy J. Trivett. Also present was, Richard Stuart, County Attorney, and Donna Cogswell, Interim County Administrator.

1. CALL TO ORDER:

Interim Chairman Fisher called the meeting to order at 6:02 p.m.

2. CONSENT AGENDA:

a. Approval of/Amendment to Board Agenda:

Interim Chairman Fisher stated that everyone should of received the agenda and asked if there were any amendments or comments to the agenda, if not, he stated he would proceed with the agenda as is.

b. Reorganization:

- i. Interim Chairman Fisher stated that the next order of business is to have a reorganization of the Westmoreland County Board of Supervisors. He asked if we could have a motion to appoint Interim County Administrator Donna Cogswell as temporary chairman. Motion by Mr. McCormack; Second Mr. Ingram, with no further discussion, Mr. Trivett, Mr. Ingram, Mr. Hynson, Mr. McCormack, and the Interim Chairman vote "aye," the Board approves the appointment of Interim County Administrator Donna Cogswell as temporary chairman. Mr. Fisher turned the meeting over to Ms. Cogswell. Election of Chairman: Ms. Cogswell opened the floor for nominations for the position of Chairman of the Board of Supervisors for the remainder of 2024. Motion was made by Mr. McCormack to nominate Mr. Fisher as Chairman; Second Mr. Ingram. There was no additional nominations, therefore Ms. Cogswell closed the nominations and called for

a vote from the Motion of Darryl Fisher as Chairman of the Board for the remainder of 2024. With no further discussion, Mr. McCormack, Mr. Hynson, Mr. Fisher, Mr. Ingram, and Mr. Trivett voted” aye.” The Board selected Darryl Fisher as Chairman of the Board for the remainder of 2024. Ms. Cogswell then turned the proceedings back over to Chairman Fisher.

- ii. Election of Vice Chairman: Chairman Fisher opened the floor for the position of Vice Chairman of the Board of Supervisors for the remainder of 2024. Mr. Ingram made a motion to nominate Mr. Trivett as Vice Chairman. There were no additional nominations, therefore Chairman Fisher closed the nominations and called for a vote from the Motion of Tim Trivett as Vice Chairman of the Board of Supervisors for the remainder of 2024. With no further discussion, Mr. McCormack, Mr. Hynson, Mr. Ingram, Mr. Trivett, and Chairman votes “aye.” The Board selected Timothy Trivett as the Vice Chairman for the remainder of 2024. Chairman Fisher stated that after discussion, the Board concluded among themselves to make a change.

Chairman offered a thank you to Supervisor Hynson for serving up to this point. Mr. Hynson has concluded that he wanted to step down and if he wishes to disclose the reasons that is his discretion. As a Board and its entirety, we want to thank him for the service he rendered in Chairman position. We look forward to his meaningful input as we move forward with the business at hand.

- c. Approval of Board Minutes: Chairman Fisher noted that everyone should have received a draft copy of the minutes from the June 10th, June 17th, and July 2nd meetings. He asked if we could have a motion to approve the minutes as submitted, and if there are any errors found now or later, we could come back and make those amendments. There is a Motion by Mr. McCormack, Second by Mr.

Trivett to approve the minutes as presented. With no further discussion, Mr. Trivett, Mr. Ingram, Mr. Hynson, Mr. McCormack, and Chairman vote “aye.” The Board approved the minutes from the June 10th, June 17th, and July 2nd meetings, as presented.

- d. Approval of Accounts Payable & Payroll Register: Chairman Fisher stated that you all received the accounts payable and payroll register and asked if there were any questions, observations, or concerns. If not, Chairman Fisher asked for a motion for approval for the payroll register and accounts payable as presented. A motion by Mr. McCormick and seconded by Mr. Ingram, with no further discussion, Mr. Trivett, Mr. Ingram, Mr. Hynson, Mr. McCormack, and Chairman vote “aye.” The Board approves the Accounts Payable and Payroll Register as presented for July 2024.

- e. Appropriations Increase/Decrease:

- i. Consideration of Appropriation to Deobligate Committed Fund Balance – Finance Software (\$439,865.60).

Karen Foxwell, Finance Director, was present to discuss a consideration of appropriation to deobligate the committed fund balance of Finance Software totaling \$439,865.60. Ms. Foxwell stated in 2019, the Finance Department set aside \$379,729.60 in anticipation of possibly changing to a new software company and in 2020 set aside additional \$60,136.00. As of this date, the current software company has restructured, has new employees and equipment, and is no longer having issues. Ms. Foxwell is asked for these funds to be returned to the fund balance. Chairman Fisher asked the Board if they had any questions for Ms. Foxwell. Chairman Fisher noted that he would like to recommended that the funds be put in

the contingency fund, rather than the fund balance? Mr. Hynson stated that that was a good idea because we thought we had to replace the system but the state uses the same system and they got all of the bugs worked out. Mr. Hynson also noted the contingency is very thin because of a tight year, therefore, he believes it is the smartest place to put it. Chairman Fisher requested a motion to put the funds into the Contingency Fund instead of the General Fund. There was a motion by Mr. McCormack and Seconded by Mr. Ingram for approval; with no further discussion, Mr. Trivett, Mr. Ingram, Mr. Hynson, Mr. McCormack, and Chairman voted "aye". The Board approved the amount of \$439,865.60 to be put back into the Contingency Fund.

ii. Consideration of Appropriation to Increase Fire Fund Revenue (\$10,097.00).

Ms. Foxwell stated that it is all stated funding, and they put an estimate of \$54,000 last July that they were going to possibly receive. We received \$64,097. Ms. Foxwell is asking for the appropriation of the difference of \$10,097 to be put in that line item. It will allow the Fire Departments to get \$16,024.25 each. Chairman Fisher asked if there was any further discussion from the Board and if there could be a motion for approval. There was a motion by Mr. Ingram and seconded by Mr. Hynson for approval of the appropriation of the Fire Fund Revenue. Mr. Trivett, Mr. Ingram, Mr. Hynson, Mr. McCormack, and Chairman vote "aye". The Board has approved the appropriation to increase the Fire Fund Revenue in the amount of \$10,097.00.

iii. Consideration to Increase Virginia Cooperative Extension's budget (\$10,702.00).

Chairman Fisher states that the next item is the consideration of increasing the Virginia Cooperative Extension's budget by \$10,702.00. After the explanation has been provided, Chairman asks what the Board wishes and desires. Mr. Hynson stated that he would like to give them the funds due to their importance in everyday life. There was no further discussion. A motion was made by Mr. Hynson and seconded by Mr. McCormack to approve increasing Virginia Cooperative Extensions' budget by \$10,702.00. Mr. Trivett, Mr. Ingram, Mr. Hynson, Mr. McCormack, and Chairman vote "aye". The Board has approved to increase Virginia Cooperative Extension's budget by \$10,702.00.

3. STAFF/COMMITTEES/ORGANIZATION REPORTS AND PRESENTATIONS:

a. VDOT:

i. Monthly Report: David Beale, Resident Engineer, was present to discuss the monthly report:

Mr. Beale reviewed the report below. He did note that the patch on Nina Road was finished this morning, and the job is complete. Mr. Beale then asked if there were any questions for him. Chairman asked the Board and Mr. Beale if he could wait around for certain people who had questions and had signed up for public comment about VDOT. Mr. Ingram brought an incident to Mr. Beales' attention. There was some overhanging brush on Leedstown Road, which caused it to fall on a person's vehicle and resulted in an accident. There is also overhanging brush on Horner's Mill and Bayne Ville Road, and on route three from the King George County line to Stop-In, the road breaks up in different spots. Mr. McCormack brought Cabinford Road to the Board's attention. It is a privately-owned road and

one of the worst roads in Westmoreland County, and the owner is willing to sell it. Mr. Hynson thanked Mr. Beale for fixing the pothole on Ferry Landing Road. Chairman brought up Nomini Hall Road and stated that it is rough and if he could take a look.

NEXT PAGE – REPORT



Westmoreland County Board of Supervisors
July 2024 VDOT Report

Maintenance Activity Highlights

Completed:

- Shoulder repairs (Rt 3, Rt 638 Ferry landing Rd, Rt 705 Burnt House Pt, Rt 628 Pomona Rd, Rt 635 Parrish Lane)
- Ditch cleaning (Westmoreland Shores)
- Brush Cutting (Rt 626 Erica Rd, Poor Jack Rd, 203, Rt 688 Springview Rd, Rt 1300 Santa Anita Dr)
- Pothole Patching (Rt 608 White Point Rd, Rt 621 Nomini Grove Rd, Rt 645 Crookhorn Rd, Rt 1321 Barnes Blvd, Rt 640 Grants Hill Church Rd)
- Mowing and litter pickup countywide
- Address work orders countywide

Upcoming:

- Pothole patching countywide
- Shoulder repairs (Rt 203 Oldhams Rd)
- Pipe cleaning (Rt 600 Ebenezer Church Rd, Rt 3, Wilton Woods Sub, Rt 723 Creek View Lane, Rt 621 Mt Holly Rd)
- Brush cutting (Rt 661 Jackson Creek, Rt 612 Coles Pt, Rt 607 Kinsale Bridge Rd)
- Ditch cleaning (Wilton Woods sub., Rt 711 Bushfield Rd, Rt 638 Leedstown Rd, Rt 1421 Gordon way)
- Asphalt patching (state park)
- Address work orders countywide

Pavement Schedule

Plant Mix Complete

Rt 3 (beginning of 4-lane to Richmond County line)
Rt 3 WB (4-lane divided section)
Rt 205 (Cedar Hill Rd to KG county line)
Rt 622 Polk St/Pomona Rd (Rt 3 to Wild Sally Rd)

Surface Treatment

Kinsale Bridge Rd	Resolutions Rd	Ebb Tide Dr	Harbor View Cir
Tobacco Rd	Wilson Dr	Chatham Ln	Poor Jack Rd
Trigger Ln	Springview Rd	Willis Pl	Pretty Pt Rd
Creek View Ln	Plainview Rd	Marina Dr	Buckner Cr Rd
Oyster House Rd	Buena Vista Dr	Falls Hill Rd	Emmas Dr
Brodfield Rd	Wise Pl	Darl Cir	Colonial Cir
Estates Dr	Oak Grove Rd	Springfield Beach Rd	
Placid Bay Estates	Ebb Tide Estates	Potomac Shores	

Construction Projects

SSYP:

Rt 652 Charles Way; Summer 2026 Rt 685 Ashbury Rd; Summer 2028
Rt 610 Skipjack Rd; Summer 2029

HSIP:

Rt 202 paved shoulder (Rt 3 to Nomini Creek Bridge); 2025 Construction
Rt 3 paved shoulder (County line to Oak Grove); 2025 Construction

Revenue Sharing:

Deux Rue; Summer 2024	Holly Way Ph III; Summer 2024
Hickory Ln; Summer 2025	Birch Ln; Summer 2025
Woodmount Dr; Summer 2025	Pinewood Ln; Summer 2025
Lakeview Ln; Summer 2026	

Bridge:

UPC 123364 Rt. 205 over Branch of Rosier Creek; Scour Repair; 5/2024 Ad
UPC 121539 Rt. 658 over Monroe Creek; 6/2024 Ad
Rt 600 Neenah Rd

Contacts:

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

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Resident Engineer

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Carter White

Assistant Residency Administrator

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Ronnie Crabbe Jr.

Hague Area Headquarters Superintendent

(804) 695-6730

b. Treasurer:

i. Sue Jones, Treasurer, was present to talk about the Delinquent Tax Lists as of June 30, 2024.

She stated that the copy of the Real estate and Personal Property tax list is listed in the owner's name. The tax was due on December 5, 2023, and remains uncollected. In 2023, Westmoreland County billed \$18.55 Million for Real Estate Taxes, and the Treasures office collected 98% of those taxes, leaving only \$362,000 uncollected. \$10.1 Million was billed for Personal Property Taxes, and the treasurer's office collected over 90%, leaving 1.12 thousand uncollected. The total taxes billed was \$28.74 Million, and the total taxes remaining due for 2023 is \$1.37 Million. Ms. Jones wanted to extend her appreciation to all the citizens in Westmoreland County for working with the Treasurer's Office, and she recommended publishing Delinquent Tax lists on the county website and delivering hard copies to all of the libraries. Chairman asked the Board how they wanted to proceed. There was a motion by Mr. McCormack, seconded by Mr. Hynson, to publish the delinquent tax list on the county web page and deliver hard copies to all libraries in the county. There was no further discussion. Mr. Trivett, Mr. Ingram, Mr. Hynson, Mr. McCormack, and Chairman vote "aye." Motion passes 5-0. The Board approved publishing the delinquent tax list on the County web page and delivering hard copies to all libraries in the County.

c. Town of Colonial Beach: Mayor Robin Schick was present.

- They had an excellent 4th of July Celebration held on July 3rd.
- On July 9th, the economic development team is hosting a meeting with Virginia Tourism at 10:00 a.m. at the Town Center location.

- On July 10th, there will be a quarterly COMREL meeting at 8:00 a.m. at the Draft Muse.
 - On July 24th, Torey Smith is hosting a backpack event from 5:00 p.m. to 9:00 p.m. He will supply 200 backpacks full of school supplies and will have activities for the kids and food. Mayor Schick would like to thank Antwan Smith for helping facilitate the event at Torey Smith Park.
- d. Town of Montross: Fran Taylor, Town Manager, was not present. Mathew Ingram received an email from Fran Taylor with some updates.
- They are working on closing out of their fiscal year of Bookkeeping.
 - 1st Friday was successful despite the excessive heat.
 - They are finalizing a property easement next to Blue Ridge Bank so they can have the trees removed and make it designated parking for the town.
- e. Resolution - Retirement of Bill Cease: Bill Cease was present.
- The Board congratulated Mr. Cease and read the Resolution in honor of his retirement. With no further discussion, motion by Mr. McCormack, second by Mr. Trivett, which Mr. Trivett, Mr. Ingram, Mr. McCormack, Mr. Hynson, and Chairman vote, "aye". The Board approved the Resolution in honor of Mr. Cease's retirement.

NEXT PAGE – RESOLUTION

Resolution Honoring

WILLIAM CEASE

On His Retirement



WHEREAS, Bill Cease has served the County for over 10 years in various roles within the Emergency Management Department, Emergency Services Department and IT Department for Westmoreland County; and

WHEREAS, during his career, Bill has performed his duties and fulfilled his responsibilities in an exemplary manner and consistently demonstrated his personal commitment to providing exceptional service to the citizens of the County; and

WHEREAS, the professionalism and dedication consistently exemplified by Bill is worthy of the highest commendation.

NOW, THEREFORE, BE IT RESOLVED the Board of Supervisors of Westmoreland County hereby extend to Bill Cease our sincere and grateful appreciation for his dedicated service to the citizens of Westmoreland County, congratulate him on a well-earned retirement, and extend our best wishes to him for continued success, happiness, and good health in the years to come.

Adopted this 8th day of July, 2024

Chairman, Board of Supervisors
Westmoreland County, VA

- f. Resolution- Retirement of Debra Whaley: Ms. Whaley was not present to receive the resolution that was prepared.

Resolution Honoring

DEBRA WHALEY

On Her Retirement



WHEREAS, Debra Whaley has served the County for 6 years as Finance Director, during which her last month she was appointed the Interim County Administrator for Westmoreland County; and

WHEREAS, during her tenure with the Finance Department, Debra performed the duties and responsibilities inherent to her position in an exemplary manner and provided exceptional service to the taxpayers of Westmoreland County; and

WHEREAS, the professionalism and dedication consistently exemplified by Debra is worthy of the highest commendation.

NOW, THEREFORE, BE IT RESOLVED the Board of Supervisors of Westmoreland County hereby extend to Debra Whaley our sincere and grateful appreciation for her outstanding service to the citizens of Westmoreland County and congratulate her on a well-earned retirement and extend our best wishes to her for continued success, happiness and good health in years to come.

Adopted this 8th day of July, 2024

Chairman, Board of Supervisors
Westmoreland County, VA

- g. Resolution – Retirement of Paul Brunkow: Mr. Brunkow was not present to receive the resolution that was prepared.

Resolution Honoring

PAUL BRUNKOW

On His Retirement



WHEREAS, Paul Brunkow has faithfully served the County for 23 years as Certified Building Official for Westmoreland County; and

WHEREAS, Paul's dedication and commitment to Westmoreland County has resulted in considerable progress towards improving the quality of life in our great County; and

WHEREAS, during his career, Paul has performed his duties and fulfilled his responsibilities in an exemplary manner and consistently demonstrated his personal commitment to providing exceptional service to the citizens of Westmoreland County; and

WHEREAS, the professionalism and dedication consistently exemplified by Paul is worthy of the highest commendation,

NOW, THEREFORE, BE IT RESOLVED that we the members of the Board of Supervisors for Westmoreland County do hereby extend to Paul Brunkow our sincere and grateful appreciation for his exemplary service to Westmoreland County, congratulate him on a well-earned retirement, and extend our best wishes to him for continued success, happiness, and good health in the years to come.

Adopted this 8th day of July, 2024

Chairman, Board of Supervisors
Westmoreland County, VA

With no further discussion, upon motion by Mr. McCormack, second by Mr. Hynson and approved unanimously, with Mr. Trivett, Mr. Ingram, Mr. McCormack, Mr. Hynson, and Chairman vote, "aye". The Board approves the Resolutions of Retirement for both Debra Whaley and Paul Brunkow (without reading the resolution). Chairman stated that these individuals have contributed tremendously to the successes of Westmoreland County in their various capacities and they have reached a point where they earned their retirement, and the Board wishes them the best.

4. ACTION ITEMS:

- a. EMS: Chief Byrd was present to speak of the memorandum between Westmoreland County and Colonial Beach Volunteer Rescue Squad.

Westmoreland County and Colonial Beach Volunteer Rescue Squad underwent a partnership a few months ago. On the meeting of May 13th, Chief Byrd had a Memorandum of Understanding to deal with the operational aspect of that organization to ensure they didn't lose their EMS license, which would effectively render all equipment and personnel, and they wouldn't be able to answer calls. The transition of Phase I is complete, and personnel and units are in service. The second phase is the current housing agreement with the squad, written from the existing agreement with the Cople District Volunteer Fire Department. Chief Byrd stated if the Board would like to review the memorandum in more depth, he can present it again at next month's meeting. The County Attorney reviewed the document and approved to form. With no further discussion, upon motion by Mr. Trivett, second by Mr. McCormack and carried unanimously with Mr. Trivett, Mr. Ingram, Mr. McCormack, Mr. Hynson, and Chairman votes "aye". The Board

approves the Memorandum of Understanding between Westmoreland County and Colonial Beach Volunteer Rescue Squad regarding the house agreement.

NEXT PAGE – MOU

MEMORANDUM OF UNDERSTANDING (SUPPLEMENTAL AGREEMENT)

BETWEEN

WESTMORELAND COUNTY BOARD OF SUPERVISORS

AND

COLONIAL BEACH VOLUNTEER RESCUE SQUAD

This Agreement, dated this ____ day of July 2024, by and between the Board of Supervisors of Westmoreland County (the "County"), Colonial Beach Volunteer Rescue Squad, Inc., a Virginia Corporation ("CBVRS") recites and provides:

WITNESSETH

In consideration of the mutual covenants and agreement contained herein, the receipt and sufficiency are hereby acknowledged; the parties hereto agree as follows:

- 1.) The County will provide EMS coverage through one (1) 24/7 ambulance to be housed at the CBVRS Station to provide coverage to the Town of Colonial Beach and surrounding areas in the previously established dispatched district.
- 2.) The Westmoreland EMS Chief and a representative from CBVRS will determine the occupancy SOPs/SOGs.
- 3.) The County will provide ancillaries such as cleaning supplies, vehicle maintenance items, etc. for use by personnel staffing the CBVRS station.
- 4.) The County will evaluate the station's expenditures before the DES occupancy to determine a spending baseline. Any expenditure increases due to the placement of county personnel within the station will be adjusted to account for such increases.

- 5.) The County will reimburse the CBVRS for additional utility costs above the average
previously established for the station due to the 24-hour crew(s) occupancy of the crew.
- 6.) CBVRS will maintain Insurance coverage on the building and its associated property until
both parties determine otherwise.

IN WITNESS WHEREOF: The parties have caused this Agreement to be duly executed with their
affixed signatures.

WESTMORELAND COUNTY:

NAME: _____
Chairman, Westmoreland County Board of Supervisors

DATE: _____

COLONIAL BEACH VOLUNTEER RESCUE SQUAD:

NAME: _____
Donna Shelar, CBVRS President

DATE: _____

APPROVED AS TO FORM:

b. Sheriff: Sheriff Balderson was present to speak of the Proclamation for National Night Out on August 6th, 2024.

i. The Proclamation listed below is for National Night Out. It is an annual event that brings law enforcement and the community together, not just for Law enforcement but for all first responders. The National Night Out will be on August 6th, 2024, from 5:00 p.m. to 8:00 p.m. Many activities are planned, such as horse rides, dunk tanks, etc. The event is free, and all money for the event is through community and financial donations. The proclamation is part of the Certified Crime Prevention Community. Westmoreland County is one out of twelve counties in the state that is a certified prevention community. It has been an ongoing process for a year and was a collaborative effort from everyone in the county.

With no further discussion, upon motion by Mr. Trivett, second by Mr. McCormack and carried unanimously with all voting "aye". Mr. McCormack said he would like the Proclamation to be read for the record. Chairman read the proclamation listed below. Mr. Ingram asked if any donations or further assistance were needed for the event. Sheriff Balderson stated that they wouldn't turn down any donations, and if anyone would like to donate, they could go to the Sheriff's office.

NEXT PAGE - PROCLAMATION

**PROCLAMATION
NATIONAL NIGHT OUT
AUGUST 6, 2024**

WHEREAS, the National Association of Town Watch (NATW) will sponsor a national community-building campaign on Tuesday, August 6, 2024 "National Night Out"; and

WHEREAS, the National Night Out campaign provides an opportunity for neighbors in your town, city or county to join over 38 million neighbors across 18 thousand communities from all 50 states, U.S. territories and military bases worldwide; and

WHEREAS, National Night Out is an annual community-building campaign that promotes strong police-community partnerships and neighborhood camaraderie to make our neighborhoods a safer and more caring place to live and work; and

WHEREAS, neighbors in Westmoreland County will assist the local law enforcement agency through joint community-building efforts in support of National Night Out 2024; and

WHEREAS, it is essential that all neighbors of Westmoreland County come together with the Westmoreland County Sheriff's Office and other Law Enforcement Agencies to build a safer and more caring community; and

NOW, THEREFORE we hereby call upon all neighbors of Westmoreland County to join the Westmoreland County Sheriff's Office and National Association of Town Watch in support of National Night Out on Tuesday, August 6, 2024.

FURTHER, BE IT RESOLVED, the Westmoreland County Board of Supervisors, hereby proclaims Tuesday August 6, 2024 as "National Night Out" in Westmoreland County, VA.

Chairman, Board of Supervisors
Westmoreland County, VA

- c. Emergency Management: Bill Cease was present to speak about the 2024 Emergency Operations Plan (EOP).

Mr. Cease stated that this plan was presented in February 2024, and some errors were found and corrected. The revised 2024 EOP went out to the fire chiefs for feedback, none was received. Mr. Trivett found that the reviews remained unchanged. Chairman Fisher asked if the Board recalls when the 2024 EOP was presented and if some things needed to be fixed and everything had been corrected. Chairman asked if the Board agreed and he would ask for a motion to approve the 2024 EOP.

With no further discussion, upon motion by Mr. Trivett, second by Mr. Hynson to approve the 2024 EOP. There was no further discussion. Mr. Trivett, Mr. Ingram, Mr. McCormack, Mr. Hynson, and Chairman votes "aye". The Board approved the 2024 Emergency Operation Plan.

- d. Administration:

i. Transfer Station: Interim County Administrator Donna Cogswell asked Richard Stuart to give an update on the transfer station. Mr. Stuart stated that the Board approved a motion to have a police investigation on certain alleged activities occurring at the Montross Transfer Station. He had a conversation with Colonel Hoover, and he said that he couldn't make a criminal allegation for the police to investigate because he was not aware of any crimes committed. Colonel Hoover was going to speak to Mr. Trivett regarding this matter. Mr. Stuart and Mr. Trivett spoke a week later. Ms. Cogswell is going to give information that she has. Mr. Stuart stated that the Board might want to consider having the auditors look at it because understanding the contract remains supreme on what happened. There is

a way to determine if it is properly audited by a professional, and if they can determine wrongdoings, then it would be on Republic's dime, not the County. Ms. Cogswell has a fix now because it is the understanding that people continue to dump on the County dime, and she is unsure how it occurred, but it needs to be stopped now and go through the proper channels going forward.

Ms. Cogswell stated that the next phase is to stop the bleeding. The bills over the last several months have shown how costly this activity has been. The County is paying for these trash haulers and ultimately, the taxpayers are paying for the activity. The fix is to close the County account with Republic, and anyone going through the transfer station, going over the scales, would set up a 3rd party account with Republic. The expenses (tonnage and transportation fees) do not fall on the County, which will save the County a lot of money. The way to know which company is using the County account is for all companies to go through the application process and have the applications approved by the Board. It hasn't been done in a couple of years, but the activity needs to stop and be monitored. Ms. Cogswell asked for a motion by the Board to close the County account under Republic and work with them to have all 2nd party haulers set up a account with Republic and off the County account. Mr. Stuart added that Ms. Cogswell would reach out to all the companies and let them know all the information and what was happening, but there would still be some people who would be upset, and she was prepared for it. Mr. McCormack stated that he had gone to the transfer station with a trailer and went over the scales. Are we saying that anybody in the country that goes over the scale has to pay Republic, or is it just 3rd party companies? Mr. Ingram said that he understands that just household trash from citizens does not get

charged, correct? Mr. Stuart stated that if you are a County resident, you can get a pass from the Treasurer's Office, and you must have it with you to dump your household waste. If you are a contractor hauling trash for a service, the question arises: who went through the proper channels and who didn't? Mr. McCormack stated that when he went to the transfer station, they made you weigh on the scales if you have a trailer. They don't charge you, they charge the County and give a printout of what is charged. We are not potentially closing the residential trash, just the companies. Chairman Fisher stated that it is good to discuss this so the public can understand and that there needs to be a proper process in place for these companies.

With no further discussion, upon motion by Mr. Ingram, second by Mr. McCormack, and carried unanimously, Mr. Trivett, Mr. Ingram, Mr. McCormack, Mr. Hynson, and Chairman votes "aye." The Board approves the motion to close the Count account under Republic and authorizes Republic to open up 3rd party accounts with all trash hauling companies, who will be charged Republic's rate, unless authorized by the Board to be on the County account.

ii. Consideration of Motion to Appoint New Director of Emergency Management with name change to Chief of Emergency Services.

Ms. Cogswell stated with the retirement of Mr. Cease, the County needs to appoint a new Chief of Emergency Management. Based on discussions, that role will go under EMS, as it used to be. Chief Byrd is in the best position to take over that role, as well as, his current responsibilities. Therefore, I would ask the Board to approve two things; first to appoint Chief Byrd as the Chief of Emergency Management and second to change

his title to Chief of Emergency Services, effective July 10th, 2024. Mr. Hynson asked if we could give one man two titles. Mr. Stuart stated that as of July 10th, it will be one person, one title due to Mr. Cease retiring on July 9th.

With no further discussion, upon motion Mr. Trivett, second Mr. Ingram, carried unanimously, Mr. Trivett, Mr. Ingram, Mr. McCormack, Mr. Hynson, and Chairman votes "aye". The Board approves the motion to appoint Chief Byrd as the Chief of Emergency Services which includes EMS and Emergency Management.

NEXT PAGE – RESOLUTION

RESOLUTION

**APPOINTMENT OF DIRECTOR OF EMERGENCY MANAGMENT
& NAME CHANGE TO CHIEF OF EMERGENCY SERVICES
EFFECTIVE JULY 10, 2024**

BE IT RESOLVED, by the Westmoreland County Board of Supervisors, effective July 10, 2024, approval of the name change from Director of Emergency Management to Chief of Emergency Services, and

BE IT RESOLVED, the Westmoreland County Board of Supervisors, effective July 10, 2024, appoint Chief Blake Byrd to the role of Chief of Emergency Services.

Chairman, Board of Supervisors
Westmoreland County, VA

W.W. Hynson _____
Darryl Fisher _____
Jeffrey McCormack _____
Matthew Ingram _____
Timothy Trivett _____

e. LAND USE (Beth McDowell and Kelly DeJesus)

i. Bowie Road (Rte. 664) and Route 3 – Road Intersection Improvement Project Application (Application Withdrawn for 2024).

M. Chairman stated that the application was withdrawn and the Board would not act on it. Ms. McDowell stated that that was correct.



Westmoreland County, Virginia
LAND USE ADMINISTRATION

Building Official
Zoning Official
Planning Commission
Board of Zoning Appeals
Board of Building Appeals
Wetlands Board

P.O. Box 1000

Montross, VA 22520

(804) 493-0120

MEMORANDUM

To: Westmoreland County Board of Supervisors

From: Beth McDowell, Land Use Administration, *Planning Director*

Date: July 2, 2024

Subject: Review related to road intersection improvement project application at Bowie Road (Rte. 664) and Route 3: **APPLICATION WITHDRAWN FOR 2024**

At their meeting on July 1, 2024, this project was determined by the Planning Commission to not be in accordance with the Comprehensive Plan in its current design. Therefore, this application has been withdrawn from consideration for this round of Smart Scale. The primary issue expressed by impacted parties and the Commission is the closure of several existing driveway entrances serving the businesses located in that vicinity along Route 3. The entrance closures were included in the project because, under their current regulations, VDOT typically doesn't like for there to be multiple access points clustered together along a roadway in the manner that exists in that location.

ii. **PUBLIC HEARING & Consideration for Road Intersection Improvement Project Application - Northern Intersection of Long field Road (Rte. 631) and Ridge Road (Rte. 205).**

Beth McDowell, Planning Director, presented on the Road Intersection Improvement Project for the northern intersection of Route 631 and Route 205; below is an overview. Specific road improvements can be funded under a VDOT process known as a Smart Scale. With this process, localities and regional planning bodies can submit applications for projects every two years, and then VDOT prioritizes specific projects based on their criteria. The project is for improvements at the northern intersection of Route 205 and Route 631. There have been multiple accidents at this intersection, and the application proposes to address a safety need identified by VDOT. The request is to offset the right-hand turn lane for better visibility for southbound traffic moving from Route 205 to Route 631. The intention is to prevent vehicles in the turn lane from blocking the line of sight at the intersection, specifically for traffic at the stop sign on Long Field Road (Route 631), which is looking toward King George County.

iii. **PUBLIC HEARING & Consideration for Road Intersection Improvement Project Application -Southern Intersection of Longfield Road (Rte. 631) and James Monroe Highway (Rte. 205).**

Beth McDowell, Planning Director, presented on the Road Intersection Improvement Project for the southern intersection of Route 631 and Route 205; below is an overview. This project is for improvements at the

southern intersection of Route 205 (James Monroe Highway) and Route 631 (Longfield Road). Multiple vehicle accidents have occurred at the intersection, and the application proposes to address a safety need that has been identified by VDOT. The request is for a left-hand turn lane for northbound traffic moving from Route 205 onto Route 631. There are currently no turning lanes at the intersection, and this will cause traffic to continue on Route 205 toward the Town of Colonial Beach.

After the presentation, Ms. McDowell gave the Board a copy of an email she received from one of the homeowners whose property would be affected by the project. She then asked the Board if they would like to adopt a Resolution of Support for these projects, which requires a public hearing, and if there were any questions she could answer. Mr.

McCormack asked if there was a picture that was close to the road based on the email that Ms. McDowell provided. Ms. McDowell didn't have a clear picture of the house. Mr. Ingram asked if you could use Google Maps so the audience and citizens can see exactly what house will be losing the land. Ms. McDowell stated that in the sketches from the presentation, it is hard to say who will lose how much land at this time.

All will be decided later if the project is to be funded, but what is showing all three properties will be affected. Mr. Ingram asked on the northern side how much property would be affected or if they would use the old right of way that the state still owns procession of. Ms. McDowell stated that the state does have extra right of way. They may need to acquire land from the landowner, who is on the planning commission and acknowledged that could be a possibility.

Chairman Fisher reviewed the guidelines for public hearings and then opened up the floor for Public Hearing regarding Consideration for Road Intersection Improvement Project Application - Northern Intersection of Long field Road (Rte. 631) and Ridge Road (Rte. 205).

Raymond Jones: He lives not too far from that road and travels it a lot; it is a safety hazard and needs to be improved. However, that road was just modified not too many years ago, and it is sad that whoever designed it initially did not do a very good job. Hopefully, if it is modified again, it will be corrected.

Let the record show that there was no one else who came forward on this matter. Therefore, Chairman Fisher closed the public hearing regarding Consideration for the Road Intersection Improvement Project Application - Northern Intersection of Long field Road (Rte. 631) and Ridge Road (Rte. 205).

Chairman Fisher came back to the Board for discussion and action. Mr. Hynson stated that Mr. Coates gained the property when the road changed the last time, and now he is giving some back since there are no objections and it is a safety thing. Mr. Hynson also noted that it is hard for him to see on the right side of Colonial Beach. Line of sight is just as important in one way as the other, and he is okay with going forward with this project due to it not interfering with anyone's personal property, but it does affect safety.

With no further discussion, upon motion by Mr. Hynson, second by Mr. McCormack, and carried unanimously, the Board approves the Road

Intersection Improvement Project Application - Northern Intersection of Long field Road (Rte. 631) and Ridge Road (Rte. 205).

Chairman Fisher again reviewed the guidelines for public hearings and then opened the floor up regarding Consideration for Road Intersection Improvement Project Application -Southern Intersection of Longfield Road (Rte. 631) and James Monroe Highway (Rte. 205).

Joan Dickenson Drummond: She owns the house on the left-hand side, and when you turn onto Longfield Road, there is a large yard. She doesn't mind giving some of that land that connects Longfield Road to the County because it is a dangerous intersection; they have had more than one car in the yard that had either been hit or turned over. With the chart Ms. McDowell had shown in her presentation, it looks like it is taking land from where the house is and beyond, and it would be dangerous for anyone living there. Mr. McCormack noted that in the picture in the packet, the line is coming close to the house, and if there are car issues in the yard, he would be cautious about approving the project. Ms. Drummond stated that the problem is people blowing past the stop sign coming onto 205 from Longfield and people coming up the small hill on 205 before you get to Longfield. She wondered if a stop light would help the accidents.

Walter Lamb: He lives in the house on the left-hand side and sees many accidents, and adding a turning lane will not help. People run the stop sign all the time, and most of the accidents are people coming from Colonial Beach, not paying attention, and getting hit by the car coming

out of Longfield; maybe a warning sign to let people know there is a road there will help the accidents.

Mathew Hall: He owns the field that runs down 205, and he isn't saying nothing needs to be done, but no one contacted them in a timely manner, and there are no actual drawings. His land is what is mostly going to get ate up, he would be willing to support it only if he sees actual drawings, and he is aware that the state has the Right of Way but they take and want more. You will be in their house if you take more land from the surrounding properties. People don't pay attention and follow the law, so why should he lose his land for someone else's neglect?

David Beale (VDOT) came forward and stated that would always advocate for road improvements. They always come at a cost, but the state pays you for the land. If the Board would support the project with a total take, they would buy the entire parcel and demolish the house. The state would negotiate with the land owner to retain the property, sell it as surplus property, or reserve it for future improvements. The application will help the localities stay ahead of the improvements, the staff recommendation will be in January of 2025, and the CTB will not approve funding until May or June 2025 for fiscal year 2026. The funding is in the outer years of the six-year plan if it wins funding. We know there is a problem; he has had many people talk about the northern part of Longfield, but it wasn't right the first time. It is still five or six years away before a project even starts if it wins funding; it is very competitive due to so many applications, and it's a cost-benefit analysis. If we see a county that can't get funding, they look at other ways, such as Highway Safety Improvement Funds, which are federal funds that don't require a

federal match. Mr. McCormack asked Mr. Beale if they had put a temporary stop light there years ago, and he thought it was the best idea to come through there, unsure why it went away. Mr. Beale stated that signals have to be warranted based on volumes, trying to shift the paradigm away from signals to try and keep traffic moving.

Richard Wilkins: This is a new design, not a new project. His wife's house is down the road, and they would put in a turning lane. At one time, they were going to condemn her well in the front yard.

Chairman Fisher asked to let the record show that no one else came forward to speak on this topic. Therefore, Chairman closed the public hearing regarding the Consideration for Road Intersection Improvement Project Application -Southern Intersection of Longfield Road (Rte. 631) and James Monroe Highway (Rte. 205).

Mr. Hynson stated that he would like the citizens to think that that road has always needed a turning lane or something for a while now. However, looking at the pictures presented, there is not enough room unless we buy the whole parcel of land due to no yard left. He would like to see exact footage and some orange stakes to see precisely how much will be taken and how much we need to be responsible to the public and the landowner. He needs more information from Mr. Beale and Ms. McDowell and maybe alternate ideas before deciding. Mr. Trivett stated that he hopes the county will contact the landowners, give them a better understanding and perspective of what they are talking about, and maybe have a meeting. Mr. McCormack stated that he agrees with Mr. Hynson that he would like to see other alternatives considered before a

decision is made. Mr. Ingram stated that he understands where the landowners are coming from because he is going through something similar and lack of communication. The county and the state have to work on communication with the landowners and the general public. There could be an alternative site, the old entrance to the drag strip that is right off 205, close to the access of Westmoreland Shores; maybe they could look at coming through that section where the entryway is, turning onto Longfield Road as a by-pass for that intersection. There are ways to cut corners in that area. Chairman asked what the pleasure of the Board was. Mr. Hynson stated he would like Mr. Beale, Ms. McDowell, and the Board to look at the lines and possibilities with the landowners and determine what everyone can agree on and be happy with. Mr. Chairman asked Mr. Beale if the Resolution of the project was moved forward and if it would look into the proposed improvement as presented. The Board agrees with some improvement but not on what has been proposed. Mr. Beale answered when you are putting in an application with Smart Scale, you are applying for a specific improvement at a specific dollar amount. VDOT does enough legwork on what it will cost, but the design work isn't there, the surveying isn't done, and they are working off of aerial images and cannot put a stake in the ground and say that is going to be the new property line until the design plans are done. If you move forward, get the funding, and then change it, you may have to start the application process again. Keep in mind that the application is every two years. Mr. McCormack asked if this could be tabled until we get more information and what is the impact if so. Chairman Fisher stated that if we didn't, we would have to wait two years before it opened again. Mr. Beale noted that if the Board doesn't have their resolution of support by the deadline (July 31st), there is a good chance that the application will not go through.

If you want to move forward with the application to meet the deadline and then a month later, you can cancel it; it will not get reviewed by next month. Chairman stated that the recommendation from Mr. Beale is to move forward with the resolution to see if it gets funding, but how much input would we have on altering the project to fit? Mr. Beale answered and said he would rather you change your mind next month instead of June of next year when everything has been approved. We can meet with the landowners and make sure they understand better, give the resolution of support, and revisit it at the next meeting. Mr. Ingram stated that we know that stop lights aren't what is best due to wanting traffic to keep moving, but would a caution light be warranted and a reduction in speed limit help? Mr. Beale said he would review it and maybe some reflective tape on the sign would help. It would be beneficial if he had documented the crash history of people running the stop sign. Mr. Hynson stated that there is another meeting on the 22nd of this month and asked Mr. Beale to get with the two owners and see what can be agreed upon and have a better understanding. If they agree, then it can be revisited at the next meeting. Chairman stated that if it is the Board's will, then we can table this now and revise it at the next meeting on the 22nd and make it a continuation of this meeting.

With no further discussion. motion by Mr. Hynson, second by Mr. McCormack, and carried unanimously, the Board agreed to table the Consideration for Road Intersection Improvement Project Application - Southern Intersection of Longfield Road (Rte. 631) and James Monroe Highway (Rte. 205) until the work session on July 22, 2024.

- iv. Public Hearing & Consideration for Special Exception for a Solar Facility, located on Brodfield Road & Pomona Road Colonial Beach, VA. Case #2406-SE-04; Ralph & Virginia Reed PO Box 10 Colonial Beach VA 22443 & Colonial Beach VA Solar LLC.

Kelly DeJesus was asked to look into decommissioning bonds. When you go through the special exceptions, you will see that we have previously requested a decommissioning bond but have never actually set it in motion, so it is not included in what is to be discussed in this case. She was also asked about county-owned land and whether or not it would be suitable for solar farms, but more research is still needed. Ms. DeJesus presented a 2-year special exemption request to install mounted solar panels that front both Pomona Road and Bradfield Road. It is approximately 35 acres, and the site, when finished, will have approximately 14,150 solar modules producing 5MWac of electricity, which will be sold to Northern Neck Electric purchaser, Old Dominion Electric Cooperative.

Chairman Fisher reviewed the guidelines for public hearings and then opened the floor for the consideration for Special Exception for a Solar Facility, located on Brodfield Road & Pomona Road Colonial Beach, VA. Case #2406-SE-04; Ralph & Virginia Reed PO Box 10 Colonial Beach VA 22443 & Colonial Beach VA Solar LLC.

Richard Wilkins: Mr. Wilkins asked what a long-term cost-share agreement was. Mr. Stuart answered and stated that there are different revenue-sharing agreements concerning solar; the smaller they are, the less they are. He had asked if he had received this agreement for them to

look at and was unfamiliar with it. Mr. Stuart told Chairman that if the Board wishes to move forward, they can approve it subject to approval by the County Attorney, which makes it contingent. Mr. Wilkins stated that he doesn't think anyone should tell a property owner what they can and can't do with their land, it's an investment on both ends. Is a bond being conditioned to cover the decommission 20-30 years later, so the landowners and county aren't stuck with a big bill? They say the solar panels can be recycled, but there isn't a place where you can take them now.

Joan Dickenson Drummond: She has seen the new development on Longfield Road. To cover the traffic, we will need more than the extra lane that they are proposing.

Chairman Fisher stated to let the record show that no one else came forward to speak on this matter and the public hearing was regarding Consideration for Special Exception for a Solar Facility, located on Brodfield Road & Pomona Road Colonial Beach, VA. Case #2406-SE-04.

Mr. Hynson stated that he spoke to someone familiar with solar panels and found enough time to question her in-depth on the pros and cons of solar panels. An in-depth study needs to be conducted on how counties don't lose money. Many people think that solar panels are so good. He doesn't see that yet. Model T and model A weren't good then but turned out great as time passed. Counties don't have the structure right now to protect themselves with a 30-year contract with a solar company. Mr. Hynson asked Mr. Stuart if we had the right to tax power. Mr. Stuart stated that we do not have the right to tax power. Mr. Hynson noted that

he didn't think we had all of our solar knowledge put together and asked the lady with solar knowledge to put off the conversation until later. He is not against it, but there needs to be more information and research on solar farms. Ms. McDowell noted that at the Planning Commission meeting, they had just spoken about having a work session in a few months asking for public comment on the solar farms and facilities and putting that into the comprehensive plan and possibly into the ordinance. Ms. McDowell also noted that there may be a joint meeting with the Planning Commission and the Board of Supervisors. Mr. Ingram stated that he was conflicted with Solar Farms, and he doesn't like telling people what they can and cannot do with their land, but he thinks that every solar farm project should have some time of bond for a clean-up. The landowners don't understand the decommissioning process of the solar farms and who will have to pay for that.

Andy Brownstein, an attorney with Green Herlocker in Richmond, Virginia, represents the applicant, came to the podium and stated that the Virginia code requires all applications of these types to maintain a decommissioning plan and post financial security in the form of cash, escrow, a bond, or assurance if the applicant fails to follow through with the decommissioning plan. 15.2-2241 is the decommissioning statute. Tom Holt, the applicant, also came to the podium and stated that he could give additional information. There was a deed commissioning plan submitted with the application, and it does take a look at the decommissioning cost every five years and adjusts it so there will be funds to decommission it. Chairman and Mr. Stuart asked Ms. McDowell if the Planning Commission was okay with the special exemption, and Ms. DeJesus stated that they were okay with it. Mr. Stuart noted that he is

unsure what the pleasure of the Board is, but if there are reservations, he would be more than happy to work with the applicant to work out the issues and wait until the next meeting. Tom Holt came to the podium and asked Mr. Stuart about the problems. Mr. Stuart answered that a question about bond and cost-sharing might be associated with that, which wasn't submitted. The lawyer, Andy Brownstein, stated that there is a bond in place, and regarding the cost-sharing, the applicant would be more than happy to work with Mr. Stuart. They are okay with making it an additional condition of the application. The applicant stated that they would differ to the next month and submit a siting agreement for consideration if that is what the Board would like. Chairman stated that he believes that this decision should be differed to the next meeting and certain things were not submitted to the Board, and by the next meeting, all the information and issues should be figured out.

With no further discussion, a motion by Mr. Hynson, second by Mr. McCormack and carried unanimously, the Board agreed to table this matter until the next meeting.

Mr. McCormack noted that he believes the Board should meet with the Planning Commission. Issues like this are why an updated comprehensive plan is needed. The county is shrinking with solar farms and have lost about half of the farmers but have the same amount of farmland.

v. Public Hearing & Consideration of Abandonment of County Owned Right-Of-Way on Mary Washington Avenue Adjacent to 3510 Skipjack Road.

Kelly DeJesus presented on consideration of the abandonment of the county-owned right-of-way on Mary Washington Avenue adjacent to 3510 Skipjack Road. Mary Washington Avenue is a 43' wide public Right of Way at the end of Sandy Point Road, between Skipjack Road and the Potomac River, owned by the county and surrounded by privately owned land. It is a public right of way, legally in all documents, and it is a public right of way, not a public beach. The Public Right of Way refers to traveling in constant motion; the strip of land is constantly in motion. The private beach is part of the highway system as well. Recent challenges have included illegal usage, parking, stormwater management, erosion, etc. The unfettered water drainage is causing gullies and people to go on private property. September 2023, they received a petition to abandon the public right of way. Mr. McCormack asked when you mentioned the beach. It's not private, correct? Ms. DeJesus answered and stated that the strip of land going through Skipjack, where it ends, goes all the way to Mary Washington through the water. That is all owned by the county. The private property goes all the way to the water on each lot; you are able to walk, but you can't stop. Mr. Stuart clarified what Ms. DeJesus said, and typically, you own to the mean low water mark in most cases. The issue is that they are going down the 40-foot right of way and using everyone else's property. Mr. Chairman echoed what Ms. DeJesus and Mr. Stuart stated. The three courses of action would be to Abandon the Right of Way and sell to the highest bidder, Keep the Right of Way in its current condition and Abandon the Right of Way, assign a new use classification, and modify the land to address and rectify the existing

conditions. Ms. DeJesus explains what would happen if the Board were to decide on each course of action. After the presentation, Mr. McCormack asked Ms. DeJesus where the closest parking is. Ms. DeJesus stated that the nearest parking with bathrooms is a mile away.

With no further discussion, Chairman opened the **Public Hearing & Consideration of Abandonment of County Owned Right-Of-Way on Mary Washington Avenue Adjacent to 3510 Skipjack Road.**

Violet Gaskins: She has been going to Sandy Point Beach since she was a kid, and there hasn't been an issue until recently. She believes that it is a racial thing, someone who purchased a property down there and started calling the police. They are down having a cookout, and there is no issue, but when the Mexicans come, then they start calling the police; it is not correct. It is not right to close the beach for the people who have been going there their entire lives. There were trash cans there, but someone took them away. The drainage is incorrect due to a wall being there, making the drainage go another way. She returned to the podium and asked if Maryland owned the water and how the beaches could be private.

Lynn Brownley: He lives close to the right-of-way, which is not a right-of-way and is not owned by the county. There is a document stating that it is a right-of-way, but there is also a document referring to it as a public beach. It was created as a commons area. People bought lots in Sandy Point but never built anything. There are no words of dedication on the original plans; when the two subdivisions on each side were created, it said reservation; nowhere had it said Right of Way, and VDOT is running

from it. When the plat was vacated, words were mentioned but never said Right of Way. The public started using it, and under the doctrine of adverse possession, the general public could achieve rights—the public changes to the property. Everyone got along well down there; there were some racial issues, but no littering. One property is causing problems draining due to the water coming off that lot, which cut the beach in half. There are parking issues down there, and he did put a garbage can down there, and a landowner removed it. The petition is not okay; we should provide more access, not less.

John Mayer: He is a Kinsale resident; it is a contentious issue. There is a clear lack of beach access. The Board needed to look for suitable options, so he offered to leave it the way it is and see if they could find a place to be used as a beach for the public. The contingency fund could be used to find a suitable place for a beach and parking.

Josh Caldwell: He believes the Board has a rare opportunity to turn this issue into a win-win. It is, in fact, county property, and the right-of-way zoning could be changed to park or open space. He spoke with Ms. Dejesus about the background, history, and options. You could do nothing, sell it, but you would be removing something that has been a part of the community for decades, depriving access to the beach, and you never know what the person would do if you sold it. I fully support abandoning the right of way and changing its use to a public park. You could do much with it, but it starts with tonight's decision.

John Lawler: He is one of the full-time legal residents of Sandy Point and is in full support of the abandonment that ill-piece kept ground. There is no recognition of a public beach; it is, in fact, a right of way to the river. The staff had a town meeting in Kinsale, and a few people from the Sandy

Point Community were in attendance. The people causing issues aren't the ones that have been there forever. The Board has received letters of support close to the area; they have had to put a gate and padlock on their dock to keep people off it. There has been horrible language directed at the occupants when they are on their property, with too many people on it. People are constantly going onto private property; there are other places people can go, such as Sandy Point Park. In Kinsale, there is a club a member could apply for to have full access to the river, a pool, and many other places. Sandy Point property owners deserve no less than feeling safe and enjoying the quiet enjoyment of the area they support. Originally, it was designed to access the beach on the other side of Skipjack Road, such as a four-foot easement across people's property lines; they were abandoned, but the property owners would be okay if they were reinstated. They can't treat it like a public beach because it never was one, to begin with, and there is a danger of backing into two state highways that could cause an accident. Two of the supervisors, during the busiest budget season, took their time, Chairman Fisher and Mr. McCormack, held a town hall meeting at Kinsale. The situation has gotten very intolerable. Chairman tried to set some rules there years ago, but the people haven't been abiding by them, and the police have been called. The wall was built there because the sand and dock of a property owner were being eroded. The drainage is still bad, but it did improve. He is aware of some land purchased by the county in Coles Point that could be a long-term option for the issues. We do need public access, but this is not the solution.

Clay Lewis: He is in District 1, and it has been one of the only places where a struggling family could take their family at no cost and enjoy a day at the beach. It has been around for generations and has some consideration for families to have a place to go. If you were to vote for abandonment tonight, how long before a chain goes up? If you did nothing, you could at least have it cleaned up, and the brush cut back at a low cost, and hopefully, people will respect it more. It doesn't make sense that Westmoreland County doesn't want to improve its assets when Lancaster County is spending millions and getting new access. He is okay with Ms. Dejesus's proposal but has reservations due to the lack of parking. The farmer who owns the field closest to it is willing to talk to the county about selling some for parking or having limited parking by the road because it is a small beach. There needs to be a parking plan in place before any decisions should be made. If you can't post signs and have the sheriff's office enforce it that is not okay.

Annie Arnest: She grew up in Kinsale and went to the beach. She bought the marina and established a club referenced earlier, with the mission to provide waterfront access to everyone, but they do have to charge a membership fee. It is private property, and it doesn't solve the issue. It would be a massive loss to the community not to have this beach accessible to everybody. She is familiar with the grants for waterfront access and would be happy to work with the Board to raise funds to ensure this can stay available for everyone. They have cleaned that area and will continue to help keep it clean.

Chairman Fisher ask to let the record show, no one else came forward regarding the Consideration of Abandonment of County Owned Right-Of-Way on Mary Washington Avenue Adjacent to 3510 Skipjack Road and therefore the public hearing is closed.

Chairman Fisher noted that no time limit was put on anyone because he wanted people to say what they had to say. He then brought the discussion to the Board. Mr. McCormack asked if we were to continue with the abandonment of the property and if we would allow parking on the abandoned property until we can establish parking. Mr. Hynson stated that if we abandoned it, someone could still carry a kayak through there to get to the water; people get drawn to Westmoreland County for the water and sand, and he is unsure if access should be closed. He believes that limited parking should be established there; we need to limit the width of what can go down there, abandon it as a road, and keep it as public access. Mr. Trivett thanked Chairman and Mr. McCormack for holding the meeting in town hall and listening to the people and will consider the options moving forward. Mr. Ingram stated that a lot of hard work has been put into this and what the next phase will be. It will be a difficult decision, but it would be good to have parking in that area if it works with the plan in place. Maybe have a Boardwalk with grant funding. Mr. Chairman noted that it is a tough situation, and much has changed. If the people who enjoyed that space were the same and those who lived there were tolerant of that access, people would enjoy coming there. We have come to this issue not for the ones who use it for enjoyment but for the ones who abuse it. The property owners get tired of the language and bad behavior, and the good ones get penalized. It is up to the Board to decide what is best for all in the county and find a

way to make it the best it can be. There is no option not to do anything; everything will get worse. We can put up all the signs we want, and people will not respect them; we don't have the resources to have police there 24/7. Chairman Fisher stated he doesn't like the term abandonment because it indicates that we will just shut it down with no plan in place. We need to look at abandonment as the first step in getting control of what is going on down there and develop a plan to close and reopen it to be better than ever. The property owner may open to sell to the county for parking, which is excellent. We have to get control before anything else can be done. If the public would put their trust in the Board to know that it is not our intention to close the access point permanently or do away with it but to make it better suitable for everyone.

With no further discussion, motion by Mr. McCormack, second Mr. Hynson.

Mr. Stuart clarified Mr. McCormack's motion to abandon the right of way to the river and maintain ownership of the property while they decide what to do.

The motion is carried unanimously, Mr. Trivett, Mr. Ingram, My Hynson, Mr. McCormack and Chairman vote "aye". The Board approves the motion to abandon the right of way of 3510 Skipjack Road to the river and the County will maintain ownership of the property while they decide what to do.

Mr. Chairman thanked his colleagues and heard all sides. He wanted to make sure that the citizens understood that they had given up the right

of way but not the property and that a plan would be developed suitable for the citizens and property owners. We will hold a town hall meeting to hear from the public to still have this as an access point but not how it used to be.

5. INTERIM COUNTY ADMINISTRATOR'S REPORT

- a. Chandlers Mill Pond Update. Interim County Administrator, Donna Cogswell received an email from John Kirk on July 1st, and the spillway is complete; the breach hole has been repaired. There is still some top soil work and seeding to be done. The final engineering inspection is scheduled for July 10th, and based on feedback, they will monitor the spillway valves and next steps and should be good to stock with fish in the fall. They will give one more update once everything is done. Chairman said he was waiting for someone to tell him that the pond was full of water. They started working on that dam before the school was even built.

6. PUBLIC COMMENT PERIOD

Chairman opened the floor for the public comment section and asked if anyone would like to speak, come up to the podium, and state their name for the record.

Mary Johnson and Shirley Blackman: They live on Cabinford Road and wanted to Mr. McCormack for contacting the owners. They are going to sell the road to the county. Mary Johnson asked if there could be a small plan in place to do something to this road; school is opening soon, and it is a safety hazard for the kids. They had the rescue squad come to that road for a senior citizen, and it took twelve minutes to get back there because of the road. She would like them to look at patching up the road until there is a permanent plan in place. VDOT should be able to do something. Shirley Blackman stated that the last rain and any caused the road to split. It is hard to understand how some of

the residents get out of their driveway, and it is sad because we are paying our taxes, and the road shouldn't be in the state it is in. Ms. Blackman asked for them to check the buses to make sure they were in alignment due to the road condition.

Chairman stated that the public needs to understand that they are left with many roads that were put into place before the regulations that we have today, and that road happens to be one of them. He wanted to thank Mr. McCormack for contacting the land owner to be able to have ownership of this road and maybe apply for some grant that can bring relief. Due to the issues on Cabinford Road, we have put plans in place that no subdivisions can be built without the road being put in first and try to come up with solutions to remedy that situation.

Richard Wilkins: He congratulated Chairman Fisher, Vice Chairman Trivett, and the Interim County Administrator for their appointments. It costs the county and taxpayers \$25,000 to give the county a holiday to county employees. He wasn't in favor when the county gave July 5th as a holiday; the county government is a business and needs to be treated as such. He favors giving a half day off for Christmas Eve and Thanksgiving Eve.

Chairman Fisher stated to let the record show that no one else came up and spoke. Chairman closed the public comment section and asked if they would like to speak to come up to the podium and state their name for the record.

Chairman Fisher wanted to thank everyone for coming out tonight, waiting patiently for your time to speak, and listening to all the information that was said. Sometimes, meetings go long, but a lot has been accomplished. Chairman also noted that the next meeting is scheduled for the 22nd at 5:30 p.m., and it is a set meeting, but if we could, we would continue the meeting due to our inability to take action in work sessions.

7. ADJOURNMENT

Chairman Fisher asked if there were any other matters to be brought before the Board, if not he asked for a motion to continue this meeting and hold it in conjunction with the work session on July 22, 2024.

With no further discussion, motion by Mr. McCormack, second by Mr. Ingram, carried unanimously, the meeting is continued until Monday, July 22, 2024, at 5:30 p.m. and the meeting is adjourned at 9:52 p.m.

Darryl E. Fisher
Chairman, _____