

A Work Session of the Westmoreland County Board of Supervisors was held Monday, September 23, 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 Darryl E. Fisher, W. W. Hynson, Jeffrey McCormack, and Timothy J. Trivett. Richard Stuart, County Attorney, and Donna Cogswell, Interim County Administrator, were also present.

1. CALL TO ORDER

The Chairman called the meeting to order at 5:30 p.m.

2. CONSENT AGENDA

The Chairman stated that all Board members should have received a copy of the agenda and if any additions or changes need to be made. If not, the Chairman asked for a Motion to approve the agenda as presented. With no further discussion, upon Motion by Mr. McCormack and seconded by Mr. Hynson, carried unanimously, the Board approved the Work Session agenda as presented.

3. PRESENTATIONS (Informational/Questions & Answers)

a. Verizon Fourth Amendment to Option and Lease Agreements (Montross & Nashtown) Towers (Richard Stuart)

Richard Stuart, County Attorney, was present to discuss the Verizon lease agreements for the Montross and Nashtown towers.

Mr. Stuart stated that the Board received the fourth amendments to the two different towers that Verizon uses in Westmoreland County some time ago, and he got involved in this in the summer. Verizon reached out to the County in January 2024. Mr. Cease worked through these agreements, and to his understanding, Mr. Prescott, the former County Administrator, approved them. Mr. Stuart stated that he was okay with the documents, but he was unsure if the Board was aware of the numbers in the lease agreements. They are requesting a 5% reduction in rent over a five-year term or 1% per year. He noted that the old lease agreement said there was a success at the five-year terms for the towers, and every five years, the rent would go up 115 %. It is a 15% increase over that

five-year period or 3% a year during that five-year term. They have reduced it to 110% or 2% a year over a five-year term. Looking at the original agreement, they get five more extensions of five years, and it says 115% of the rent unless Verizon gives the County six months' notice to terminate that, which Mr. Stuart has not received. He asked what the will of the Board was and noted that the Board didn't need to take action tonight. He stated that he emailed the representative from Verizon, and he asked if the Board doesn't approve the reduction, will they file a notice to terminate the contract. And they have yet to respond.

Mr. Hynson stated that everyone is paying a lot of money for bills and groceries, so why should the Board be discussing a decrease in Verizon's price for using the towers? He noted that it should stay where it is; it is unnecessary to increase it, but it shouldn't decrease.

Mr. Trivett stated that he agrees with Mr. Hynson and that no matter what phone company you have, there is always an increase in some form, and it should be increased, not decreased. He would be okay with keeping the agreement the same if that is the only way to keep the agreement going.

Mr. McCormack stated that from his understanding of what Mr. Stuart said, the lease had already been re-upped, and Verizon would have to have put in a notice to terminate the agreement six months prior.

Mr. Stuart stated that, from his understanding, Verizon would have had to put in a notice to terminate six months before December 2023, so it is already re-upped for another five years. This doesn't mean that Verizon disagrees. They have some legal arguments, but that is the way Mr. Stuart interpreted it.

The Chairman stated that he is not in favor of a reduction but would be inclined to keep the agreement the same as it is due to them not terminating the agreement. Once they hear from Verizon if negotiations need to be made, they will do so then. He stated that he would assume that Verizon has the same paperwork as the Board. He stated to Mr. Stuart that he doesn't think any action

will be warranted at this time because it stands as they are. The other Board members agreed with the Chairman.

b. PUBLIC MEETING Westmoreland County House Assessment Project (Jerry Davis)

Jerry Davis, Northern Neck Planning District Commission, was present to discuss the Westmoreland County House Assessment Project.

Mr. Davis stated that he understands that the County may be interested in a Community Development Block Grant (CDBG). The consideration started when Mr. Davis spoke with Mr. McCormack at the PDC meeting. Mr. McCormack told Mr. Davis about a neighborhood that had contacted him regarding roads and other issues, and with that, Mr. Davis thought that it would be a good idea to pursue a Community Development Block Grant and that money would address not just the roads but the housing as well.

The County has used the Community Development Block Grant Funds for housing rehab. It would be a comprehensive application, and the County has a lot of Community Block Grant Funding history. Years ago, there were a couple of housing development projects, in the Almond Berry neighborhood and Monroe Hall neighborhood. The Monroe Hall Project in 2008 dealt with housing and well issues; after the Monroe Hall project was completed, the County wanted to do a county-wide housing assessment. The Northern Neck Planning District Commission worked with the County, received a Planning Grant, and did a survey to identify potential housing units that appeared to be substandard. They worked with a management team (County Administrator, Land Use, Building Officials, Social Services, the Sheriff's Department) and people with potential knowledge of substandard housing in the County. Once they received the information, they plotted all the possible units on a county-wide map to see if there was a pattern in certain areas. Once the data was gathered and assessments were done, no projects were started. In 2014, the Northern Neck

Planning District Commission returned and did another housing assessment in Colonial Beach using the same methods done in 2008 to gather data on potential substandard housing within the Town of Colonial Beach. Again, it didn't lead to an application for the implementation of a housing rehabilitation grant.

There have been several other Community Development Block Grants and Community Improvement Grants. There was a District Revitalization Project through the Town of Montross and Colonial Beach. The County recently received Community Development Block funding for a well replacement. In order for a project to qualify for a Community Development Block Grant, it needs to meet one out of three Federal criteria, such as a project that will prevent or eliminate blight, benefit low-income families, and urgent need projects. An urgent need project was done recently when a tornado came through Essex County and took out an entire neighborhood.

The Planning Grant funds have been increased by \$25,000, which was increased to \$50,000, and now it is \$100,000. The process would be for the County to work with The Northern Neck Planning District Commission and put in an application for a Planning Grant, ask for \$1,000 to do a county assessment, and go through the same process that was done in the past to identify potential substandard housing in the County. Once completed, they would ask the management team and the Board how to address those needs, such as clustered or scattered homes that need attention, and have to apply for the grant in that way. It is possible that a scattered project and neighborhood project will be required simultaneously and can be done because the funding from DACD is for both rehabilitation projects, but they come from two different grant pools. Once all the information is gathered and the assessments are completed, DACD will need all the preliminary work completed before applying for implementation, such as housing inspections, financial information, and infrastructure issues, which may need an engineer and cost assessment, which could be \$800,000 for just housing

rehab or if more is required it could go up as far as \$1.25 million. The goal would be to put all the information together to come up with a comprehensive plan.

Mr. Davis stated that he knows that certain roads have been discussed, but you have to go through the housing assessment process first to see which area is a priority; the state wants to know that the due diligence has been completed and have public input and whatever project is decided, the public can comment as well. He stated that the planning grant process is open now and that applications are accepted until November 15th, 2024. Once the application is ready, it is best to submit it immediately.

Mr. McCormack stated that he understands that everyone needs to be included in the County with the Planning Grant, but he believes that the Board has already approved the application and doesn't think that the Board needs to vote again.

Mr. Davis stated that the Board needs to vote again. The Board needs to vote after the public meeting, and once that is done, they can authorize moving forward with a county-wide housing assessment. He stated that part of the application is the documentation from tonight's meeting showing that the public supports the idea. They will work with the County Administrator to identify a management team.

Mr. McCormack stated that since there is no public comment period in this meeting, will that be rolled into the public meeting, and can the Board take action due to it being a work session?

The Chairman stated that due to the process, the Board already entertained the Motion to move forward with the Planning Grant application. Part of the process is to have a public meeting to formalize that process, and then the Board would give a vote of ratification for the action that was already taken. Richard Stuart agreed and stated the Board is required to have a public meeting. Mr. Davis stated that the requirement doesn't have to be a public board meeting; it could

be a separate public meeting but they always like to have the meeting in front of the governing body. Ms. Cogswell stated that the flyer was advertised.

The Chairman stated that he hoped everyone heard what the Board would like to hear from the public and whether they would like the Board to move forward with the planning grant application. This would be the first step in pursuing a Community Development Block Grant for programs and targeted areas in the County.

Chairman Fisher asked if anyone was present to speak during the public meeting. The following individuals spoke:

Linda Gordon Shade (157 Cabinford Road)

She stated that she gets all the runoff from all the homes on the street and asked that the priority be the infrastructure and drainage.

The Chairman stated that it is all-inclusive, and a portion may pertain to her area. The project can be broken into different parts if total housing rehab is unnecessary, but it probably will be. Storm management, runoff, etc., will be incorporated into this grant.

Mr. Davis stated it would be a potential project if they plotted the houses throughout the county and had a cluster of homes in a neighborhood setting. The primary activity would be to get the houses up to standard, and the project includes looking at other factors that need to be fixed, such as stormwater, road issues, etc. If the houses aren't close together, you can put in for a scattered site application; that application is only for housing rehabilitation.

Mr. Stuart asked Mr. Davis if, moving forward with the planning grant, the Board must identify the needs to get the money to fix them.

Mr. Davis stated that once all the information and documents mentioned during the planning grant phase were gathered, the application to get the work done could be submitted based on that information.

Ms. Shade asked Mr. Davis how many phases there were to go through and what they were. She also asked if the financial assessments were individual or lump sum.

Mr. Davis stated there are two phases: the planning and when the plan is implemented. He noted that once they identify the housing, they will look at each house individually and get all the necessary information.

The Chairman stated that the County went through this process years ago, and they came up with two priority areas: Almond Berry, which was done first, and since it was a state road, all the drainage issues were addressed. Monroe Hall was the same. The whole area was identified as a project, not just one housing area.

Mary Johnson

She thanked the Board for helping them with this issue, but they thought the process was progressing and the grant was already approved. They weren't aware of what needed to be done before anything could be started on Cabin Ford Road.

The Chairman explained what needed to be done before any work could be done on Cabin Ford Road; they had to identify it as a potential project first and get all the information needed to do that. He noted after tonight's meeting, they will move forward with getting the application submitted as soon as possible.

Ms. Shade asked Mr. Davis if the assessments and the necessary documentation would occur before the cut-off date, November 15th, 2024.

Mr. Davis stated that they accept applications until November 15, 2024, and it is best to get the application in as soon as possible.

Billy Joe Garner (56 Marion Way)

She has lived in the same house for 24 years and thanked the Board for their help and support. She stated that she gets all the runoff from the other houses, and the drain field beside her gets into her septic system. She knows something will be done, probably not until next year.

Cynthia Corbin

She lives on Tiana Way, and she, her husband, and two other neighbors have paid out of their pockets to keep their road up every six months. She noted that she supports the issues on Cabin Ford Road but to keep Tiana Road in mind as well. She stated that she is glad that the process is moving forward, but the road is an embarrassment, and three months from now, you might not be able to have access back there if it snows. She is unsure how fast the process is, but the Board must keep in mind that road safety when school buses and ambulances have to come through there.

Ms. Corbin asked Mr. Davis if the grant was only for low to moderate-income families. Mr. Davis stated that is the term used for federal grants authorized by Congress and sent through the state. He noted that low to moderate income means that the income from that household is 80% or below the median household income for the county.

Shirley Blackman

She thanked the Board for everything done so far and noted that since the last meeting they attended, the road has worsened due to storms and continues to split. Some residents on Cabin Ford Road used other people's yards to get to other houses because the road was in such poor shape and was considered urgent.

Beverly Reed (14290 Kings Highway)

She stated that the end of her road had been paved, but potholes and drainage have been an issue as you go further to the houses. Her husband and another resident have ordered stones every so often to help, but it is expensive when the other two people are helping. She asked if that road could be considered to see what could be done.

Gertrude Reed (14288 Kings Highway)

She stated that her house needed repairs, and the driveway and road also needed fixing. She noted that she wasn't the only one who may need renovations to her home in that area.

The Chairman said they would do a county-wide assessment to see which area would be a priority, and everything said would be considered. The Chairman thanked the residents who came up to speak and Mr. McCormack for his time and effort in moving this process along.

Mr. McCormack asked the public not to be discouraged on what was said tonight because all of the comments from tonight's meeting will be in the official minutes and will be turned over to Mr. Davis. All of the comments mean something, and they will help move things forward with the planning grant, and he will push as much as possible to move the project forward.

Let the record show that no one else came to the podium to speak, and the Chairman closed the public meeting.

4. CLOSED SESSION: SECTION 2.2-3711.A1- Discussion, consideration or interviews of prospective candidates for employment regarding the next County Administrator.

Chairman Fisher asked for a Motion to go into a Closed Session. With no further discussion, upon Motion by Mr. McCormack, second Mr. Trivett, and carried unanimously, the Board moved into Closed Session. The Chairman stated that having the Interim County Administrator and County Attorney in the Closed Session would be best, and the Board agreed.

RECORDING WAS STOPPED, AND THE MEETING MOVED TO CLOSED SESSION

Chairman Fisher asked for a Motion to return to Regular Session from Closed Session. Upon Motion by Mr. McCormack, second Mr. Hynson. With no further discussion and carried unanimously, the Board is now in Regular Session.

Chairman Fisher then asked for a Certification Motion stating that nothing other than what was listed on the call under Sec 2.2-3711(A)(1) was discussed during the Closed Session, and no action was taken. Upon Motion by Mr. Trivett, second Mr. McCormack and carried unanimously, Mr. Trivett, Mr. McCormack, Mr. Hynson, and the Chairman votes "aye". The Certification Motion is approved.

5. ADJOURNMENT

The Chairman asked the Board if there was any further business to bring forward. If not, he asked for a Motion to adjourn. With no further business, Upon Motion by Mr. McCormack and second by Mr. Hynson, carried unanimously by the Board, the meeting adjourned at 8:00 p.m.

The next scheduled meeting is Wednesday, October 16, 2024, at 6:00 p.m. in the George D. English, Sr. Memorial Building.

Darryl E. Fisher

Chairman, _____