

# AGENDA

## MIDDLE PENINSULA CHESAPEAKE BAY PUBLIC ACCESS AUTHORITY

April 9, 2004  
Middle Peninsula Planning District Commission  
Middlesex County, Virginia

1. Welcome and Introductions
2. Approval of February minutes
3. Treasurers Report
4. Public Comment
5. Report on PAA Update Report
6. Report on Letters to BFI and MPLT
7. Discussion of Draft Logo
8. Review of Draft Mobility Maps and Relations to Public Access Standards
9. Update on "Brown Tract" Management Plan
10. Update on New Point Light Application
11. Discussion of Middle Peninsula State Park
12. Other Business
13. Chairman's Observations
14. Next Meeting
15. Adjourn

**Middle Peninsula Chesapeake Bay  
Public Access Authority**

Saluda Professional Center, 125 Bowden Street, P. O. Box 286, Saluda, VA 23149-0286  
Phone: (804) 758-2311 FAX: (804) 758-3221

**Members**

**Essex County**  
Mr. R. Gary Allen  
(Treasurer)

**Town of Tappahannock**  
Vacant

**Gloucester County**  
Hon. Louise D. Theberge

**King and Queen County**  
Mr. Ronald A. Hachey


**King William County**  
Mr. Frank Pleva  
(Vice Chairman)

**Town of West Point**  
Mr. Trenton Funkhouser

**Mathews County**  
Mr. Steve Whiteway  
(Chairman)

**MEMORANDUM**

**TO: Middle Peninsula Chesapeake Bay Public Access Authority Members**

**FROM: Lewis Lawrence, Dir. of Regional Planning** 

**DATE: April 5, 2004**

**SUBJECT: Public Access Meeting**

This is to call a meeting of the Middle Peninsula Chesapeake Bay Public Access Authority for April 9, 2004 at 12:00 p.m. The meeting will be held in the MPPDC Board Room.

The agenda and minutes from the last meeting are attached. Fried chicken, cole slaw, roles and drinks will provided for lunch.

If you have any questions, please do not hesitate to call or e-mail. I can be reached at 804-758-2311



**Middle Peninsula Chesapeake Bay Public Access Authority**  
**Minutes**  
**February 13, 2004**

The Middle Peninsula Chesapeake Bay Public Access Authority held its meeting in the Middle Peninsula Planning District Commission Regional Board Room at noon in Saluda, Virginia, on February 13, 2004. Members present were Chairman Stephen Whiteway, Mathews County Administrator; R. Gary Allen, Essex County Administrator; Trenton Funkhouser, West Point Town Manager; Frank Pleva, King William County Administrator; Louise Theberge, Gloucester County Board of Supervisors; Ron Hachey, King and Queen County Administrator; Dan Kavanagh, MPPDC Executive Director; David Fuss, Program Director of Dragon Run Special Area Management Plan; and Lewis Lawrence, MPPDC Director of Regional Planning.

Chairman Whiteway welcomed everyone in attendance with a special welcome to newly appointed Town Manager of West Point, Trenton Funkhouser.

The December 12, 2003 Minutes were distributed. A few minutes were given for the Board to read the Minutes. Chairman Whiteway requested a motion to approve the December 12, 2003 Minutes. Ron Hachey moved that the Minutes be approved with corrections noted. Spelling corrections were made to June Parker Marina, Army Corps, and Dragon Run Special Area Management Program; Louise Theberge seconded the motion; motion carried.

Chairman Whiteway requested Lewis to review the February financial report. Lewis advised the Board that the Public Access Authority has restructured the financial reporting and members were to take note of the new reporting format.

There were no Public Comments from citizens. Ron Hachey, King and Queen Administrator expressed his thanks from BFI and the Middle Peninsula Land Trust for their recent donation. Chairman Whiteway directed Lewis to submit a letter of thanks to the MPLT and BFI on behalf of the Public Access Authority.

**Delegate Morgan's Budget Request**

Lewis said that Delegate Harvey Morgan entered a budget amendment for \$70,000 for staff support of the Access Authority. Dan Kavanagh reported that he had discussed the budget amendment with Delegate Morgan and if funded, Delegate Morgan would amend the next budget for an additional \$70,000.

**Work Plan Development-\$10,000 Coastal Program Reprogrammed Funding Support**

The Virginia Coastal Program agreed to grant the Access Authority \$10,000 to assist the Access Authority in development of a work plan. Lewis will submit application.

## **CELP (Coastal and Estuarine Land Conservation Program) \$1,000,000 Dragon Funding-Federal Earmark-Public Access**

Lewis provided an update on the Coastal and Estuarine Land Conservation Program. Lewis reported a \$1M federal earmark for land purchase within the Dragon Run Watershed and the Access Authority could be the recipient of these funds.

Dave Fuss, Director of Dragon Run SAMP, gave an update on the history behind the CELP funding.

A discussion followed.

Gary Allen, Essex County Administrator, wanted to know if there is enough land available for sale in the watershed currently and Dave indicated that there is sufficient amount of land that is available.

Ron Hachey, King and Queen County Administrator, discussed the lost revenue his Commissioner of Revenue, with a vote, that 2,000 acres of land was recently removed off the county's tax roll. Mr. Hachey advised the Access Authority of the potential loss of revenue associated with land acquisition.

Lewis said that whenever the Department of Forestry conducts timbering on their holdings that by State Code a quarter of revenue generated from timbering goes back to local government to offset loss tax revenue.

Discussion followed relating to value of open space to local governments and the cost of public service savings by keeping land in open space.

## **New Point Project Update**

Lewis updated the Board on Mathews County's request for \$8,000 in federal funds to rebuild pier at New Point and install a security door at the lighthouse. The grant application has been forwarded to NOAA for approval.

## **Brown Tract Management Plan Meeting**

Lewis advised the Board and provided draft agenda of the upcoming Management Team meeting. Discussion followed relating to potential uses of Brown Tract. Lewis will report back to the Board with a recommendation for use of the Brown Tract.

## **Middle Peninsula Land Trust-Mathews County Fee Simple Land**

Chairman Whiteway updated the Board on land acquisition opportunities in Mathews County and the potential of using the Access Authority to hold conservation easements from land transferred from the Middle Peninsula Land Trust to Mathews County.

## **Gloucester County Public Access Funding Assistance**

Louise Theberge, Gloucester County Board of Supervisors, provided the Board with an update on the Gloucester Point Public Access. Lewis advised the Board that the Coastal Program maybe able to provide a grant to assist with this project. Chairman Whiteway directed Lewis to submit an application to the Coastal Program.



### **Logo Development**

Lewis advised the Board that the Town of West Point School System has submitted several logos for consideration and they will be available for review at the next meeting.

### **Other Business**

Lewis advised the Board of a funding opportunity from DCR called "Virginia Recreational Trails Fund Program."

Discussion followed related to leveraging of BFI funds as match requirement. Ron Hachey suggested that we contact Carlton Dudding, BFI in King and Queen County, to discuss the leveraging of BFI donation.

Chairman Whiteway requested that the Board submit an application to the Recreational Trails Fund Program.

Chairman Whiteway further requested staff to research the submittal of a water trails application for Mathews County.

Lewis advised the Board of findings for liability insurance and that a quote was received from the Virginia Municipal League (VML), and Beth Johnson is seeking a customized policy to best meet the needs of the Access Authority. Frank Pleva, King William

County Administrator, suggested that Beth Johnson contact VaCorp to also get a quote.

Louise Theberge made a motion that staffs execute a commitment for liability insurance for coverage not to exceed the current estimate of \$2,479.

Ron Hachey requested staff to receive a copy of insurance policies from the two hunt clubs that currently have bases on the Brown Tract.

The Board discussed the need of submitting a two-page report on the achievements of the Public Access Authority to Middle Peninsula local governments as soon as possible.

There was a brief discussion regarding possible management structures for public hunting.

Frank Pleva requested an update on the status of the York River Water Trails. Lewis advised the Board that a mobility study has been commissioned documenting the status and geographic extent of all multi-modal projects in the Middle Peninsula and he should have a draft report by the next meeting.

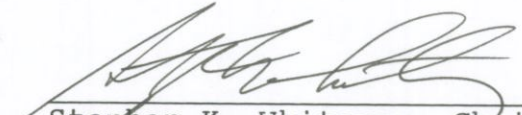
Gary Allen reported that hurricane Isabel had substantially damaged the June Parker Marina in Essex County and that this may jeopardize Essex County's purchase of the marina. The citizens in Essex County are in dire need of Public Access.

### **Next Meeting**

The next meeting date is Friday, April 9<sup>th</sup>, at noon.

**Adjourn**

Chairman Whiteway adjourned the meeting.



Stephen K. Whiteway, Chairman

REVENUE AND EXPENDITURE REPORT BY PROJECT

MIDDLE PENINSULA PLANNING DISTRICT COMMISSION  
 PROJECT 320 MP PUBLIC ACCESS AUTHORIT

PERIOD ENDING 03/31/04  
 RUN DATE 04-02-2004  
 RUN TIME: 11:43:11  
 PAGE: 21

CODE	DESCRIPTION	BUDGET	PRIOR YR	CURRENT	YR-TO-DT	PROJ TOT	UNDR/OVR	% BUDGET
REVENUES								
434	MPLT BFI AWARD	37500.00	0.00	0.00	37500.00	37500.00	0.00	100.00%
478	DEQ-BROWN TRACT	400000.00	0.00	0.00	372800.00	372800.00	27200.00	93.20%
	Revenues...	437500.00	0.00	0.00	410300.00	410300.00	27200.00	93.78%
EXPENSES								
500	SALARIES	3925.00	0.00	0.00	0.00	0.00	3925.00	0.00%
505	FRINGE BENEFITS	1373.75	0.00	0.00	0.00	0.00	1373.75	0.00%
535	EQUIPMENT/SUPPLY EXP.OTHR	2000.00	0.00	0.00	175.00	175.00	1825.00	8.75%
564	CONSULT./CONTRACTUAL EXP.	25000.00	0.00	15.61	8752.32	8752.32	16247.68	35.01%
576	CONSTRUCTION	365000.00	0.00	0.00	365000.00	365000.00	0.00	100.00%
597	INDIRECT COST	2701.25	0.00	0.00	0.00	0.00	2701.25	0.00%
	Expenses...	400000.00	0.00	15.61	373927.32	373927.32	26072.68	93.48%
	Revenues...	437500.00	0.00	0.00	410300.00	410300.00	27200.00	93.78%
	Expenses...	400000.00	0.00	15.61	373927.32	373927.32	26072.68	93.48%
	Balance....	37500.00	0.00	-15.61	36372.68	36372.68		

# Public Comment



# Middle Peninsula Chesapeake Bay Public Access Authority

Saluda Professional Center, 125 Bowden Street, P. O. Box 286, Saluda, VA 23149-0286  
Phone: (804) 758-2311 FAX: (804) 758-3221

## Members

Essex County  
Mr. R. Gary Allen  
(Treasurer)

Town of Tappahannock  
Vacant

Gloucester County  
Hon. Louise D. Theberge

King and Queen County  
Mr. Ronald A. Hachey

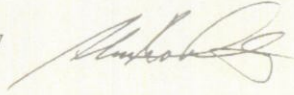
King William County  
Mr. Frank Pleva  
(Vice Chairman)

Town of West Point  
Mr. Trenton Funkhouser

Mathews County  
Mr. Steve Whiteway  
(Chairman)

## MEMORANDUM

**TO:** Middle Peninsula County Administrators and Town Managers

**FROM:** Stephen K. Whiteway  
Chairman 

**DATE:** March 26, 2004

**RE:** Middle Peninsula Chesapeake Bay Public Access Authority Report

The Middle Peninsula Chesapeake Bay Public Access Authority is pleased to provide your Board of Supervisors or Town Council with a report on activities from July 2003-March 2004. The Authority is honored to bring to your attention to several successful public access initiatives. The most noteworthy is the acquisition of the Brown Tract.

The Access Authority acquired the Brown Tract in December 2003 for \$365,000. The 274 acre site was acquired using no local funds and will be managed for long-term passive public access, resource protection, and sustainable traditional uses.

The attached report highlights accomplishments over the first nine-months of activation. Should you have any questions concerning the Authority please contact me directly or Lewis Lawrence at 804-758-2311.

SKW:lll  
Attachment



# Middle Peninsula Chesapeake Bay Public Access Authority

## Mission

The Authority recognizes that shorelines are high priority natural areas and that it is critical to set aside access sites for all types of recreational activities that are important to our economy and to the citizens of the Commonwealth of Virginia.

## Members

**Essex County**  
Mr. R. Gary Allen  
(Treasurer)

**Town of Tappahannock**  
Vacant

**Gloucester County**  
Hon. Louise D. Theberge

**King and Queen County**  
Mr. Ronald A. Hachey

**King William County**  
Mr. Frank Pleva  
(Vice Chairman)

**Town of West Point**  
Mr. Trenton Funkhouser

**Mathews County**  
Mr. Steve Whiteway  
(Chairman)

P.O. Box 286  
Saluda, VA 23149  
Phone: 804-758-2311  
Fax: 804-758-3221  
llawrence@mppdc.com

## PAA First Acquisition, Brown Tract

The Public Access Authority purchased the 274-acre Brown Tract in December 2003 with funds from the Virginia Coastal Program at the Department of Environmental Quality through a grant from the National Oceanic and Atmospheric Administration. The Brown Tract spans the Dragon Run in Essex and King and Queen Counties. Historically, the site has been managed for commercial grade sawtimber, primarily loblolly pine. The



property will be managed for long-term passive public access, resource protection, and sustainable traditional uses (e.g. forestry, hunting). Half of the tract will be managed by the Department of Forestry and half by the Access Authority. A diverse set of stakeholders has been assembled and is in the process of developing a site management plan

## New Point Comfort Lighthouse Improvements

The Public Access Authority received funds from the Virginia Coastal Program at the Department of Environmental Quality through a grant from the National Oceanic and Atmospheric Administration to rebuild a 16-foot access pier at New Point Comfort Lighthouse Island in Mathews County. First illuminated in 1803, the lighthouse is the third oldest in the Chesapeake Bay. Mathews County has owned this historical monument since 1975. The 63-foot sandstone lighthouse stands on a small rip-rap island that was severed from the mainland by storms in 1933.



## Public Access Authority Project Revenues FY 04

Federal/State	Regional	Local	Private
\$ 392,000	\$ 0	\$ 0	\$ 0
10,000	10,000	0	0
8,000	0	0	0
10,000	0	0	0
10,000	0	0	0
0	0	0	37,500
<b>\$ 430,000</b>	<b>\$ 10,000</b>	<b>\$ 0</b>	<b>\$ 37,500</b>



## Public Access Authority Highlights

### July 2003 - March 2004

July	August	September
<ul style="list-style-type: none"> <li>Researched public access standards and concepts utilized in coastal communities across the USA</li> </ul>	<ul style="list-style-type: none"> <li>Developed a draft strategy for the acquisition of a track of land (Brown Tract) located in King and Queen and Essex counties and split by the Dragon</li> </ul>	<ul style="list-style-type: none"> <li>Submitted an application for the balance of the Dragon Run BFI Mitigation fund to assist with future infrastructure projects at the Brown Tract</li> </ul>
<ul style="list-style-type: none"> <li>Developed a draft public access standards framework plan</li> </ul>	<ul style="list-style-type: none"> <li>Convened the August meeting of the Middle Peninsula Chesapeake Bay Public Access Authority; discussed public access standards and draft annual work plan</li> </ul>	<ul style="list-style-type: none"> <li>Signed and executed two contracts to secure funds for the purchase of the Brown Tract</li> </ul>
October	November	December
<ul style="list-style-type: none"> <li>Consulted with Delegate Harvey Morgan regarding the potential for General Assembly funding for the Middle Peninsula Public Access Authority</li> </ul>	<ul style="list-style-type: none"> <li>Attended the Dragon Run Steering Committee meeting to provide a Brown Tract update and discuss public access management issues within the Dragon Run watershed</li> </ul>	<ul style="list-style-type: none"> <li>Consulted with Cathy Moreland-Hasty, underwriter at VML, regarding liability policy for PAA</li> </ul>
<ul style="list-style-type: none"> <li>Consulted with Diana Utz, Rural Planning Caucus, concerning Public Access Authority presentation at the 2003 Rural Planning Caucus conference</li> </ul>	<ul style="list-style-type: none"> <li>Received notification of BFI funding approval from Billy Mills, BFI Restoration Committee Member, for Brown Tract improvements</li> </ul>	<ul style="list-style-type: none"> <li>Convened the December meeting of the Middle Peninsula Chesapeake Bay Public Access Authority. Announced the successful acquisition of the Brown Tract. Access Authority board members toured the Brown Tract.</li> </ul>
January	February	March
<ul style="list-style-type: none"> <li>Consulted with Virginia Marine Resources Commission regarding potential saltwater recreational license fund project grants and potential nexus to the Middle Peninsula Chesapeake Bay Public Access Authority</li> </ul>	<ul style="list-style-type: none"> <li>Discussed Gloucester County's need for funding assistance to repair public access and recreational site damage from Hurricane Isabel with Carol Steele, Director of Gloucester County Department of Parks and Recreation</li> </ul>	<ul style="list-style-type: none"> <li>Provided Mathews County with an assessment of VDOT road ending issues, 1932 Byrd Act, and potential public access road ending management options</li> </ul>
<ul style="list-style-type: none"> <li>Consulted with Julie Bixby Virginia Coastal Program concerning the potential for utilizing 306A NOAA funding to assist with Mathews County with funds for New Point Light improvements</li> </ul>	<ul style="list-style-type: none"> <li>Convened the Brown Tract Management Team meeting to discuss potential site uses and begin discussion of management plan</li> </ul>	<ul style="list-style-type: none"> <li>Reviewed draft public access—mobility access maps for the development of a Middle Peninsula Mobility Study</li> </ul>



# Middle Peninsula Chesapeake Bay Public Access Authority

Saluda Professional Center, 125 Bowden Street, P. O. Box 286, Saluda, VA 23149-0286  
Phone: (804) 758-2311 FAX: (804) 758-3221

February 23, 2004

## Members

**Essex County**  
Mr. R. Gary Allen  
(Treasurer)

**Town of Tappahannock**  
Vacant

**Gloucester County**  
Hon. Louise D. Theberge

**King and Queen County**  
Mr. Ronald A. Hachey

**King William County**  
Mr. Frank Pleva  
(Vice Chairman)

**Town of West Point**  
Mr. Trenton Funkhouser

**Mathews County**  
Mr. Steve Whiteway  
(Chairman)

Mrs. Mary Helen Morgan  
President  
Middle Peninsula Land Trust  
P. O. Box 88  
Saluda VA 23149

Dear Mary Helen:

The Middle Peninsula Chesapeake Bay Public Access Authority thanks you and the BFI Mitigation Account Committee for the generous award of \$37,500 from the BFI Mitigation Fund to the Public Access Authority.

The Authority will use these funds to help provide educational facilities improvements for our recently acquired Brown Tract property. This 274-acre tract of land is located within the Dragon Run Watershed in the counties of Essex and King and Queen.

Specifically, the Authority plans to develop a parking area in Essex County and to improve and upgrade an existing pedestrian walkway connecting a trail from the parking area through the wetland area and footbridge across the Dragon Run into King and Queen County. Signage and interpretative information will be provided in association with project partners.

Again, the Middle Peninsula Chesapeake Bay Public Access Authority appreciates the opportunity provided by this award for this much-needed public access to the Dragon Run Watershed.

Sincerely,

Stephen K. Whiteway  
Chairman

SKW:ryl

# Middle Peninsula Chesapeake Bay Public Access Authority

Saluda Professional Center, 125 Bowden Street, P. O. Box 286, Saluda, VA 23149-0286  
Phone: (804) 758-2311 FAX: (804) 758-3221

February 23, 2004

## **Members**

### **Essex County**

Mr. R. Gary Allen  
(Treasurer)

### **Town of Tappahannock**

Vacant

### **Gloucester County**

Hon. Louise D. Theberge

### **King and Queen County**

Mr. Ronald A. Hachey

### **King William County**

Mr. Frank Pleva  
(Vice Chairman)

### **Town of West Point**

Mr. Trenton Funkhouser

### **Mathews County**

Mr. Steve Whiteway  
(Chairman)

Mr. Carlton Dudding  
General Manager  
Old Dominion Landfill  
2401 Charles City Road  
Richmond, VA 23231

Dear Mr. Dudding:

The Middle Peninsula Chesapeake Bay Public Access Authority thanks you and the BFI Mitigation Account Committee for the generous award of \$37500 from the BFI Mitigation Fund to the Middle Peninsula Land Trust and hence to the Public Access Authority.

The Authority will use these funds to help provide educational facilities improvements for our recently acquired Brown Tract property. This 274 acre tract of land is located within the Dragon Run Watershed in the counties of Essex and King and Queen.

Specifically, the Authority plans to develop a parking area in Essex County and to improve and upgrade an existing pedestrian walkway connecting a trail from the parking area through the wetland area and footbridge across the Dragon Run into King and Queen County. Signage and interpretative information will be provided in association with project partners.

Again, the Middle Peninsula Chesapeake Bay Public Access Authority thanks BFI for the opportunity to provide this much needed public access to the Dragon Run Watershed.

Sincerely,

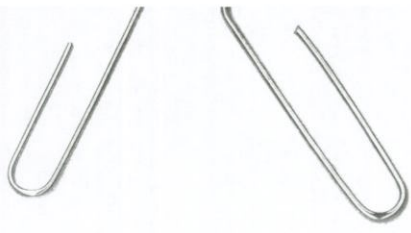
Stephen K. Whiteway  
Chairman

SKW:ryl



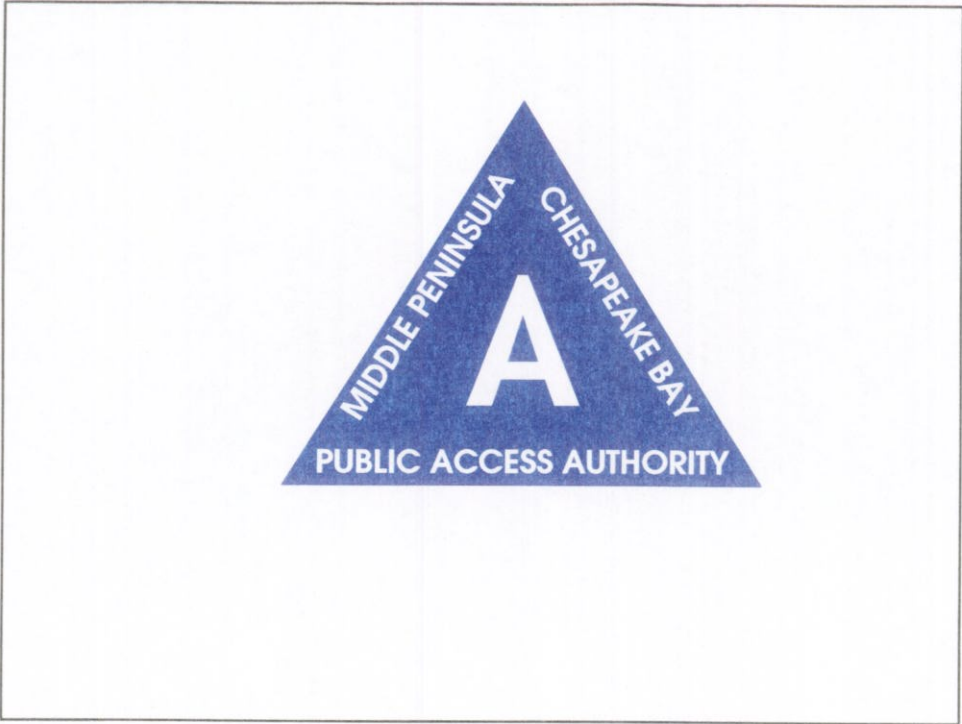






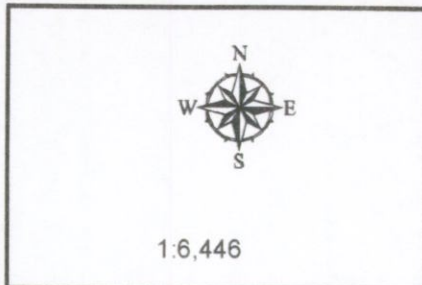
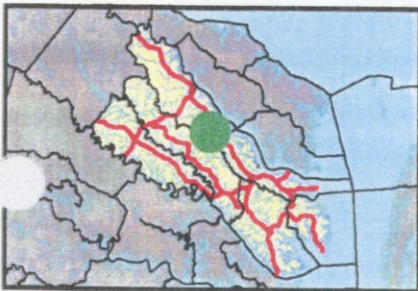
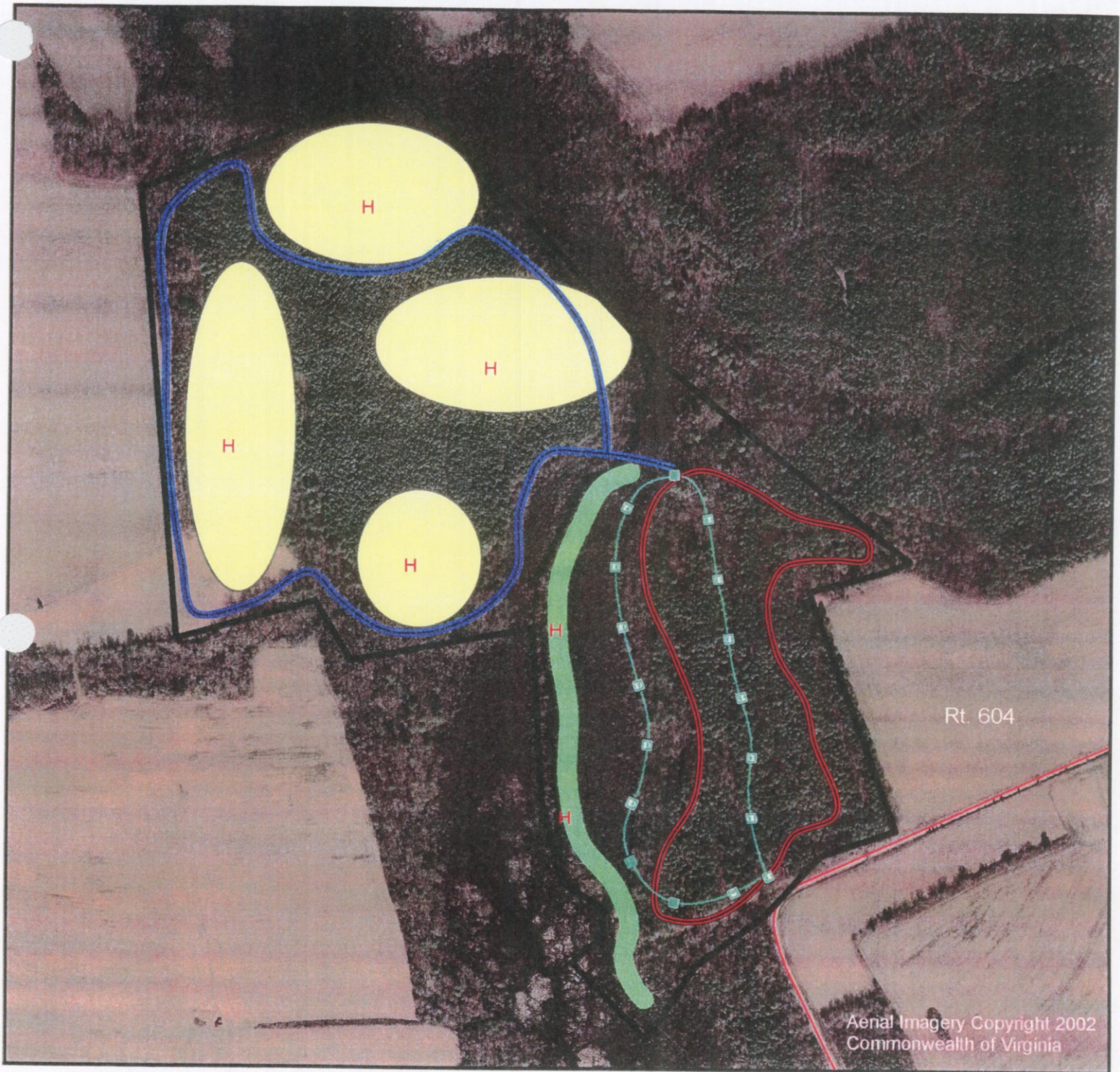
Middle Peninsula Chesapeake Bay  
Public Access Authority









# Brown Tract



Although this data has been used by the Middle Peninsula Planning District Commission (MPPDC), no warranty, expressed or implied is made by the MPPDC as to the accuracy or appropriation of the database and related materials, nor shall the fact of distribution constitute any such warranty, and no responsibility is assumed by the MPPDC in connection therewith.

This map production is a product of the MPPDC Technical Assistance Program and was funded by Virginia's Coastal Program of the Department of Environmental and Historic Affairs through Grant # NA17022355 Task 46 of the National Oceanic and Atmospheric Administration, Office of Ocean and Coastal Resource Management, Under the Coastal Zone Management Act of 1972, as amended.





**RESOLUTION TO ADOPT THE MEMBER AGREEMENT TO JOIN  
THE VIRGINIA ASSOCIATION OF COUNTIES  
GROUP SELF INSURANCE RISK POOL**

WHEREAS, \_\_\_\_\_ desires to protect against  
(entity name)  
liability claims and property losses and to provide for payment of claims or losses for  
which the county may be liable; and

WHEREAS, the Virginia Association of Counties Group Self Insurance Risk  
Pool, aka VACoRP, has been established pursuant to Chapter 27 (§ 15.2-2700 et seq.)  
and Title 15.2 of the code of Virginia.

WHEREAS, it is desirable for \_\_\_\_\_ to join the Virginia  
(entity name)

Association of Counties Group Self Insurance Risk Pool in order to provide a method of  
risk sharing for liability claims and property losses;

NOW, THEREFORE, BE IT RESOLVED that the governing body of  
\_\_\_\_\_ hereby agrees to the member agreement entitled "Member  
Agreement for Virginia Association of Counties Group Self Insurance Risk Pool" which  
creates a group fund to pay liability claims and property losses of the counties and other  
local agencies joining the Group, and we acknowledge we have received a copy of the  
pertinent Plan and supporting documents.

BE IT FURTHER RESOLVED that \_\_\_\_\_ is authorized to  
(official)  
execute the member agreement to join the Virginia Association of Counties Group Self  
Insurance Risk Pool and to act on behalf of \_\_\_\_\_ in any other matter  
(entity name)  
relative to the Group.

This the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

ATTEST: \_\_\_\_\_  
Clerk or Secretary

\_\_\_\_\_  
Chairman

## Other Business

### Middle Peninsula Chesapeake Bay Public Access Authority Liability Insurance Rate Quotes

#### VACo

General Liability Coverage:	\$991.00
Public Officials Coverage:	\$550.00
Total Annual	\$1541.00

#### VML

General Liability Coverage:	\$1175.00
Local Government Liability Coverage:	\$2479.00 (includes general liability)

General Liability Coverage would not cover Board members legal fees if Board is sued. VACo representative, Chris Carey relayed that with the statutes in the Virginia State Code regarding recreational areas it is highly unlikely that anyone would be successful in any lawsuit although legal costs may still be incurred by Board members. Public Officials Coverage would cover these costs.