



## Middle Peninsula Planning District Commission

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Hon. Edwin E. Smith

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#### Secretary/Director

Mr. Dan Kavanagh

### MEMORANDUM

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

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

**DATE: July 24, 2003**

**SUBJECT: Public Access Meeting**

This is to call a meeting of the Middle Peninsula Chesapeake Bay Public Access Authority for August 8, 2003, at 12:00 p.m. The meeting will be held in the MPPDC Board Room.

The agenda and related materials are attached. If you have not already done so, as directed by the Chairman from the July meeting, please have a list of three possible local public access projects and a regional project for discussion.

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

# AGENDA

## MIDDLE PENINSULA CHESAPEAKE BAY PUBLIC ACCESS AUTHORITY

August 8, 2003  
Amended August 14, 2003

Middle Peninsula Planning District Commission  
Middlesex County, Virginia

1. Welcome and Introductions
2. Approval of July minutes
3. Treasures Report
4. Public Comment
5. Update on a Coastal Program Land Purchase Opportunity (amended August 14)
6. National Parks Service- Chesapeake Bay Unit
7. Discussion of draft public access principles and standards (attached)
8. Discussion of locality submitted local and regional public access projects
  - a. Types of projects submitted
    - i. VDOT holdings
    - ii. County holdings
    - iii. Other holdings
  - b. Strategy discussion
    - i. VDOT discussion of property transfer
    - ii. Funding needs
9. Development of Annual Work Plan

10. Discussion of the potential for state funding support
11. Other Business
12. Chairman's Observations
13. Next Meeting
14. Adjourn

**Middle Peninsula Chesapeake Bay Public Access Authority  
Minutes  
June 13, 2003**

The Middle Peninsula Chesapeake Bay Public Access Authority held its first meeting in the Middle Peninsula Planning District Commission Regional Board Room at noon in Saluda, Virginia, on June 13, 2003. Members present were Gary Allen, Essex County Administrator; Georgette Hurley, Gloucester County Assistant Administrator; Louise Theberge, Gloucester County Board of Supervisors; Ron Hachey, King and Queen County Administrator; Frank Pleva, King William County Administrator; Stephen Whiteway, Mathews County Administrator; and Claire Jones, Zoning Administrator of Town of West Point; and Anthony Romanello, Town Manager of West Point. MPPDC staff present were Lewis Lawrence, Director of Regional Planning; Dan Kavanagh, Executive Director; and Rose Lewis, Secretary.

Lewis welcomed everyone in attendance. Introductions were made around the Board table.

**The History of the Public Access Authority-Lewis Lawrence, Director of Regional Planning, MPPDC**

In 1998 and prior, member localities subjected to litigation focusing on many VDOT road endings. MPPDC Board of Commissioners directed staff to inventory apparent right-of-way public access sites. In 2000, the MPPDC Board of Commissioners directed staff to develop a strategy for managing and preserving public access and to seek enabling legislation for the formation of the MPCBPAA. Delegate Harvey Morgan agreed to sponsor legislation in 2001. The General Assembly approved House Bill 619 creating the institutional framework for Middle Peninsula local governments to address public access on a regional basis. In 2002, VDOT discussed a process for potential transfer of state owned road-ending point to the Access Authority once activated. In 2002, the MPPDC staff sought formal approval from member localities to activate the Access Authority.

**Election of Officers**

Lewis presented a Proposed Slate of Officers. Proposed Slate of officers are Chairman-Stephen Whiteway, Mathews County Administrator; Vice Chairman-Frank Pleva, King William County Administrator; and Secretary/Treasurer-Gary Allen, Essex County Administrator. Being no nominations, Lewis requested a motion to accept the proposed slate of officers. Ron Hachey moved to accept the proposed slate of officers as presented; Louise Theberge seconded the motion; motion carried.

Chairman Whiteway conducted the meeting from this point on.

**Public Comment Period** – The Chairmen requested that meeting notices be placed each local paper within the community upcoming event section.

No citizens present.

**Adoption of By-Laws**

Chairman Whiteway requested Lewis to review the By-Laws of the Middle Peninsula Chesapeake Bay Public Access Authority (MPCBPAA). Enabling legislation gave the name of the MPCBPAA. The By-Laws of the MPCBPAA include the Name, Office, Seal, Appointment and Tenure of Board of Directors, Organization, Meetings, Special Meetings, Special Subcommittee, Officers, Executive Director, Duties of Officers, Compensation, and Amendments.

A question and answer period followed. Meetings will be held on the second Friday of even months of the quarter (February, May, August, and November). It was requested that citizen participation be involved in the Special Subcommittee. It was also requested that gender-neutral language be used from this point forward in the By-Laws and other documents. The Bylaws have been edited to reflect the change.

Chairman Whiteway requested a motion to adopt the By-Laws of the MPCBPAA. Frank Pleva moved to adopt the By-Laws of the MPCBPAA; Gary Allen seconded the motion; motion carried.

**Adoption of the Operating Agreement**

Chairman Whiteway requested that Lewis review the Operating Agreement of the MPCBPAA. The Agreement included Recitals, Appointment of Members, Operation of Authority, Annual Budgets, and Withdrawal of Membership.

Chairman Whiteway requested a motion to adopt the Operating Agreement. Frank Pleva moved to adopt the Agreement; Ron Hachey seconded the motion; motion carried.

**Discussion of Project Budget**

Lewis reviewed the Project Budget of Revenues and Expenditures. Department of Environmental Quality awarded the PDC with \$10,000. A \$10,000 match came from the PDC fund and possible in-kind time from localities if they wish to document time. The localities are not asked to contribute at this time.

Chairman Whiteway requested a motion to adopt the budget. Gary Allen moved to adopt the Project Budget; Frank Pleva seconded; motion carried.

**Discussion of Work Program**

A conceptual work plan discussion followed:

It was suggested that Lewie Lawrence, staff to the Access Authority develop a Public Access Planning Project Guidance document to reflect the comments, issues, and concerns discussed.

Dan Kavanagh, Executive Director, MPPDC suggested that each locality prepare a list of three projects with priorities plus one regional project by next meeting date. The Chairman directed each member to develop a list and requested that Lewie send each member a reminder with the meeting minutes.

A brief discussion followed referencing who would have ownership and benefit the public access lands.

**Next Meeting Date**

The next meeting date is August 8<sup>th</sup> at noon.

**Adjourn**

Chairman Whiteway adjourned the meeting.

  
Stephen K. Whiteway, Chairman