



MIDDLE PENINSULA CHESAPEAKE BAY PUBLIC ACCESS AUTHORITY

MEMORANDUM

TO: MPCBPAA
FROM: Lewie Lawrence , PAA Staff
DATE: Oct 7, 2016
RE: Oct 14, 2016 MPCBPAA Meeting

MEMBERS

Essex County

Hon. Margaret H. Davis
(Vice Chair)

Gloucester County

Hon. Christopher A. Hutson

King and Queen County

Hon. Doris Morris

King William County

Dr. K. Charles Griffin

Mathews County

Mrs. Melinda Conner
(Chair)

Middlesex County

Mr. Matthew Walker

Town of Tappahannock

Vacant

Town of Urbanna

Mr. Boyd C. Wiley

Town of West Point

Mr. John B. Edwards, Jr.
(Treasurer)

Saluda Professional Center

125 Bowden Street

P. O. Box 286

Saluda, VA 23149-0286

Phone: (804) 758-2311

FAX: (804) 758-3221

email:

PublicAccess@mppdc.com

This announcement serves as notice to call a meeting of the Public Access Authority on Friday, **Oct 14, 2016** at or about **11:00 a.m.** The meeting will be held at the MPPDC Board Room in Saluda, VA.

If you have any questions, please call (804-758-2311) or email me (LLawrence@MPPDC.COM) at your convenience.

AGENDA

- | | <u>PAGE</u> |
|--|-------------|
| 1. Call to Order | 2 |
| 2. Approval of June 2016 Minutes | 5 |
| 3. Approval of Financial Report | |
| a. detailed discussion of revenue and expenses | |
| 4. Public Comment | |
| 6. PAA Eco-Business Public & Private Operational Framework | 8 |
| 5. Property Updates | |
| a. Prince Street: Request to Transfer to Town of Tappahannock | 12 |
| b. Williams Wharf: Constituent Letter Request | 13 |
| c. Essex Donation Status: Close by month's end | 16 |
| d. King William County Site: Potential transfer | 19 |
| e. Mathews Heritage Park: Second opinion on structural integrity | 21 |
| f. Capt Sinclair | |
| • Tenant Eviction Notice Filed | 22 |
| • NFWF In Water Aquaculture Business Park Proposal Comments | 23 |
| o Options | |
| • Road Maintenance and Mortgage Company | 24 |
| • Flood Insurance and Property Insurance discussion | |
| 6. Next Meeting: December 9th, 2016 | |
| 7. Adjourn | |

MIDDLE PENINSULA CHESAPEAKE BAY PUBLIC ACCESS AUTHORITY
MINUTES
Captain Sinclair's Recreational Area
June, 24 2016

1. Call to Order

PAA Chair Ms. Mindy Conner, Mathews County called the meeting to order at 10:00 a.m. Attending were: Louise Theberge, Gloucester County, Mr. Boyd C. Wiley, Town of Urbanna, Mr. John Edwards, Town of West Point, Mr. David Kretz, Middlesex County, Lewis Lawrence and Beth Johnson, MPPDC Staff

2. Approval of April 2016 Minutes

Ms. Melinda Conner requested a motion to approve the April 2016 minutes. Ms. Louise Theberge moved that the minutes be approved. Mr. John Edwards seconded the motion. Ms. Melinda Conner, Chair, asked for any discussion. Motion carried by unanimous vote.

3. Approval of May Financial Report

Ms. Melinda Conner requested a motion to approve the May 2016 financial report. Mr. John Edwards moved that the report be approved subject to audit. Ms. Louise Theberge seconded the motion. Ms. Melinda Conner, Chair, asked for any discussion. Motion carried by unanimous vote.

4. Public Comment

N/A

5. Approval of the 2017 Draft Budget

Mrs. Beth Johnson presented the FY17 draft budget. The PAA general balance is very limited. Some discussion was held about requesting financial support for the PAA in upcoming local budget requests. The PAA has no current grants proposed for FY 17. Work program will focus on managing existing holdings and expanding donations across the region. MPPDC has received a grant on behalf of the PAA to help the PAA develop an appropriate business model for allowing the public to operate eco businesses on PAA lands. The project will address the following:

- Guidelines for Eco Business Expression of Interest Concepts
- Eco Business Application Form
- Eco Business Procurement Guidelines
- Eco Business Best Practices Development Guidelines
- Eco Business Facilities and Implementation Framework

Ms. Louise Theberge moved that FY 17 budget be approved as presented. Mr. John Edwards seconded the motion. Ms. Melinda Conner, Chair, asked for any discussion. Motion carried by unanimous vote.

6. Property Updates

Captain Sinclair's

- Social gathering fire pit boy scouts project? A discussion was held about building a small fire pit(s) for use by the general public that fall under the burn permit requirements for Gloucester. The PAA has two pallets of bricks that could be used for a decorative fire pit. Motion was made by Ms. Louise Theberge to work with the Boy/Girl Scouts if interested. Seconded by Mr. Boyd C. Wiley. Motion carried.
- Discharge of high power rifles at night: Two complaints have been received about late night rifle discharge. Staff will consult with Sheriff Offices to have the Captain Sinclair's placed on the list of night and day visitations by deputies on patrol. Staff will also consult with the Gloucester County Attorney as the discharge of rifles in on County owned roads at the site. Signage could help.
- Drinking water at rancher: The tenant at the rancher has complained that well water is high salinity and not usable. PAA agreed that a waters softener or reverse Osmosis unit may be warranted as a solution. Well replacement would be revenue dependant. PAA Staff will work with financial staff to determine when the PAA is in the best position to purchase a unit.
- Insurance update: Mike Vernon, of Flood Insurance Hampton Roads reported that the PAA is over insured on some structures. Full report is forthcoming.

Mathews Heritage Park

- A discussion was held concerning the 5 page structural integrity report previously provided by the Mathews County Building inspector for the old Farm house located on the Mathews Heritage Park site. The report found that the structure should be classified as a nuisance with structural damage and decay. David Kretz offered to have the Middlesex Building inspector conduct a second opinion. Staff will coordinate to have this done. No action was taken.

7. Status of new donation in Gloucester:

- Essex County- The DeShazo family donation is advancing forward and should be closed in the early fall.
- Gloucester County donation. The Carneal family is considering a donation to enlarge the Captain Sinclair holdings. A resolution was presented directing the PAA Chair to receive and execute any documents necessary for the donation should the family decide to make the donation. Mr. Boyd C. Wiley motioned to approve the resolution as presented. Ms. Louise Theberge seconded the motion. Motion carried.

8. Other Business/Chairman Observations

Chairman Moran discussed letters received and submitted to the PAA and the National Fish and Wildlife Foundation regarding the proposal submitted requesting funding for Captain Sinclair's Public Private Partnership proposal to build and lease a small scale

oyster hatchery for the purpose of nutrient removal and economic development. The Virginia Shellfish Growers Association have expressed displeasure at the project concept over the use of federal grant funds to support an economic development project sponsored by the PAA. Motion was made by Ms. Louise Theberge and Seconded by John Edwards to meet with the Virginia Shellfish Growers Association if the proposal is funded to discuss concerns. Motion carried

9. Next Meeting: August 12, 2016

Adjourn

On a motion by Ms. Louise Theberge and seconded by Mr. John Edwards, and by unanimous vote, the meeting adjourned

Agencywide Line Item Revenues and Expenditures

Middle Peninsula Chesapeake Bay Public Access Auth

Run Date: 10/07/2016

Run Time: 9:12:27 am

Page 1 of 1

Period: 07/01/2016 to 09/30/2016

With Indirect Detail

Code & Description	Budget	Current	YTD	Un/Ovr	% Bud
Revenues					
40102 Virginia Environmental Endowmen	4,000.00	0.00	0.00	4,000.00	0.00%
40200 Interest Income	403.00	32.70	98.61	304.39	24.47%
40202 Donations - cash	0.00	0.00	50.00	-50.00	0.00%
40211 Access Fees	1,300.00	308.49	599.48	700.52	46.11%
40212 Rental Income	27,600.00	1,300.00	4,400.00	23,200.00	15.94%
40214 Wharf Tie-Up Fees	2,500.00	0.00	0.00	2,500.00	0.00%
Revenues	35,803.00	1,641.19	5,148.09	30,654.91	14.38%
Expenses					
52100 Property Insurance	3,663.00	0.00	1,166.50	2,496.50	31.85%
52101 Facilities Maintenance	4,850.00	866.70	1,987.47	2,862.53	40.98%
52102 Flood Insurance	7,882.00	0.00	0.00	7,882.00	0.00%
52110 Utilities	0.00	506.54	1,554.85	-1,554.85	0.00%
53003 Meeting Supplies	0.00	0.00	46.74	-46.74	0.00%
56001 Consulting/Contractual	14,010.00	807.43	1,121.16	12,888.84	8.00%
56002 Audit	3,200.00	0.00	0.00	3,200.00	0.00%
56003 Accounting	425.00	0.00	413.50	11.50	97.29%
56004 Legal	4,500.00	2,157.00	3,657.00	843.00	81.27%
56005 Appraisals	0.00	0.00	300.00	-300.00	0.00%
56006 Construction	33,000.00	0.00	0.00	33,000.00	0.00%
56008 Public Officials Insurance	0.00	0.00	665.00	-665.00	0.00%
57900 Miscellaneous Expense	2,000.00	8.79	51.92	1,948.08	2.60%
Expenses	73,530.00	4,346.46	10,964.14	62,565.86	14.91%
Agency Balance	-37,727.00	-2,705.27	-5,816.05		

Balance Sheet

Middle Peninsula Chesapeake Bay Public Access Auth

Period From : 07/01/16 to 09/30/16

Run Date: 10/7/16
Run Time: 9:09:37 am
Page 1 of 2

Assets:

10000	Checking	6,764.21
10001	C&F MMKT - Restricted	97,046.43
10100	LGIP	1,008.04
10200	Security Deposit Escrow	2,300.00
11001	Browne Tract	216,964.00
11002	Clay Tract	540,369.00
11003	Haworth, Dragon Run, Jackson Tracts	399,760.00
11004	Hall Tract	305,700.00
11005	Shenk Property	260,400.00
11006	Captain Sinclair Landing	1,423,600.00
11007	Perrin Wharf	16,151.00
11008	Sloop Landing	49,400.00
11009	Dutchmans Point	167,900.00
11010	Healy Creek	334,800.00
11011	Winter Harbor	112,600.00
11012	Bethel Beach	61,000.00
11013	Horn Harbor	11,000.00
11014	Heron Point	190,000.00
11015	Adams Creek	152,250.00
11050	Accumulated Depreciation	-78,283.42
13000	Equipment	7,203.00

Total Assets: \$4,277,932.26

Liabilities:

20000	Accounts Payable	4,274.08
20002	Deferred Revenue	1,570.60
20100	Security Deposit	2,300.00

Total Liabilities: \$8,144.68

Projects

30017	FY17 Administration	-1,990.09
31001	Browne Tract Administration	-54.94
31002	Clay Tract Administration	77.52
31003	Haworth Tract Administration	20.29
31006	Captain Sinclair Landing Property Administration	-376.94
31008	Land Acquisitions	-3,725.00
31009	Perrin Wharf Administration	233.11
39000	General Fund Balance	2,710,670.18
39100	Restricted - Fed Program Income	102,140.45
39101	Restricted _ Federal	1,157,093.00
39102	Restricted - by Deed	305,700.00

Total Projects \$4,269,787.58

Total Liabilities and Projects 4,277,932.26

Net Difference to be Reconciled \$0.00

Balance Sheet

Middle Peninsula Chesapeake Bay Public Access Auth

Period From : 07/01/16 to 09/30/16

Run Date: 10/7/16
Run Time: 9:09:37 am
Page 2 of 2

Total Adjustment	<u>\$0.00</u>
Unreconciled Balance	<u>\$0.00</u>

Reconciling Items

(1)	Paid Salaries are Timesheets show Difference	0.00 0.00	0.00
(2)	Leave accrued this year	0.00	
(3)	Fringe Pool is Fringe allocated Difference	0.00 0.00	0.00
(4)	Indirect Pool is Indirect Allocated Difference	0.00 0.00	0.00

Total adjustments	<u>\$0.00</u>
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2016 VIRGINIA COASTAL ZONE MANAGEMENT PROGRAM GRANT

Project Title: Middle Peninsula Coastal Eco-Business Public & Private Operational Framework

I. LEGAL APPLICANT

Name: Lewie Lawrence
Organization: MPPDC
Street Address: PO Box 125
City, State, Zip +4: Saluda 23149

Project Manager: Jackie Rickards Title: Planner
Phone: 8047582311
E-mail: jrickards@mppdc.com

Mail Contract To: Lewie Lawrence
Mailing Address: PO Box 286, Saluda, Va 23149

DUNS #: 010063063

II. PROJECT DETAILS

Geographic Area of Impact: Member localities of the PDC: Essex, Gloucester, King and Queen, King William, Mathews, Middlesex Counties and Towns of Tappahannock, Urbanna, and West Point

Congressional District(s): 1

Start Date: 10/01/2016 End Date: 09/30/2017

Project continuing from previous year? no

III. PROJECT SUMMARY (4000 Character and Spaces Limit)

The Middle Peninsula Chesapeake Bay Public Access Authority (PAA) in partnership with the MPPDC looks to create an economic competitive advantage by leveraging underutilized, publicly owned PAA waterfront land for recreational use across the Middle Peninsula. The PAA owns over 40 separate waterfront parcels across 5 counties and one town totaling more than 1000 acres of underutilized waterfront land. The PAA desires to explore new approaches to allow privately owned eco business ventures to operate on publicly owned land to encourage new and innovative, environmental sensitive ecotourism developments that both showcase and preserve the PAA's unique natural landscapes and wildlife. The PAA desires to allow suitably experienced individuals or organizations to submit Expression of Eco-Business Interests Concepts (EoEBIC). However, before the PAA can accept any Expression of Interest, several policy documents must be created. Under this proposal, the following policy documents will be proposed:

- Guidelines for Eco Business Expression of Interest Concepts
- Eco Business Application Form
- Eco Business Procurement Guidelines
- Eco Business Best Practices Development Guidelines
- Eco Business Facilities and Implementation Framework

As part of the commitment to encourage the expansion of eco-businesses across the Middle Peninsula, the PAA also proposes to improve water access infrastructure on publically owned waterfront land by planning, designing and constructing up to two new nature viewing platforms on the 250 acre Clay Tract, located in King and Queen County, on the Dragon Run. These platforms are intended to enhance the limited public infrastructure available for use by both the general public and eco businesses interested in operating on land owned by the PAA. Improvements in the form of nature viewing platform(s) will be planned, designed, bid for construction and built utilizing non-federal funds as match for the project.

IV. DELIVERABLES/PRODUCTS

Product #1

Title (80 character and spaces limit): **Guidelines for Eco Business Expression of Interest**

Percent total project budget: 22

Description (4000 character and spaces limit): This document describes the ecotourism proposals sought through this Expression of Eco-Business Interests Concepts and details the process for submitting an EoEBIC.

Product Format: Final Guidelines

*Timeframe: Start: Oct 2016
End: Dec 2016*

Product #2

Title (80 character and spaces limit): **Eco Business Application Form**

Percent total project budget: 12

Description (4000 character and spaces limit): This document will contain, but not be limited to such items as: applicant details, applicant concept: project details, any developments; consistency with existing management plans; market segment that the eco business plans to target; experience, viability, etc

Product Format: Final Application

*Timeframe: Start: Oct 2016
End: Dec 2016*

Product #3

Title (80 character and spaces limit): **Eco Business Procurement Guidelines**

Percent total project budget: 22

Description (4000 character and spaces limit): The community and potential investors have a right to expect the PAA to conduct their procurement activities with the utmost probity. Probity is the evidence of ethical behavior in a procurement process. The PAA is committed to ensuring that its procurement expression of interest (EOI) process is carried out in accordance with ethics, probity and accountability. The document will develop procurement standards and guidelines for evaluation of Expression of Eco-Business Interests Concepts proposed

Product Format: Final Procurement Guidelines

*Timeframe: Start: Oct 2016
End: Dec 2016*

Product #4

Title (80 character and spaces limit): **Eco Business Best Practices Development Guidelines**

Percent total project budget: 11

Description (4000 character and spaces limit): The Middle Peninsula Chesapeake Bay PAA is working towards its vision to make the MP-PAA the Commonwealth leader in Ecotourism business development. The Best Practice Ecotourism Development Guidelines will assist ecotourism Applicants to develop Ecotourism Facilities and experiences on PAA lands that are in the public interest, are ecologically sustainable and ensure, to the greatest possible extent, the preservation of the land's natural condition and protection of its cultural values and resources.

Product Format: Final Best Practices Guidelines

Timeframe: Start: Oct 2016
End: Dec 2016

Product #5

Title (80 character and spaces limit): **Eco Business Facilities and Implementation Framework**

Percent total project budget: 22

Description (4000 character and spaces limit): This implementation framework (the framework) will provide a robust and transparent model for the assessment and approval of proposals for ecotourism business concepts and facilities on PAA lands. The document recognizes that any proposed ecotourism facilities will have environmental, social and financial benefits and costs that need to be considered when assessing each proposal, and that assessment needs to occur in the context of the PAA governing policies and provisions. The framework will inform potential investors and the broader community on how the PAA will assess ecotourism facility proposals, the matters that will be considered, and the approval and leasing arrangements for successful proposals

Product Format: Final Framework

Timeframe: Start: Oct 2016
End: Dec 2016

V. PROJECT TIMELINE.

October-Dec Develop Draft Documents

- Guidelines for Eco Business Expression of Interest
- Eco Business Application Form
- Eco Business Procurement Guidelines
- Eco Business Best Practices Development Guidelines
- Eco Business Facilities and Implementation Framework

December Present Draft Documents to PAA Directors

June-July Let RFP Eco Business Proposal
Aug Review Proposals
Sept- Award first round of Eco Business Contracts

October-Dec: Clay Tract Nature Viewing Platform Location and Design
January and Feb Clay Tract Nature Viewing Platform Bidding
March-May Construction of non-federal match project

VI. EXTENDED PROJECT DESCRIPTION – Optional
(2000 character limit)

VII. BUDGET

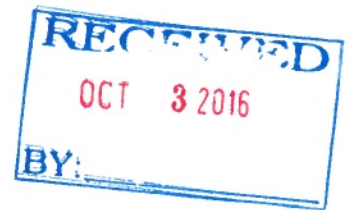
(All embedded Excel worksheets automatically calculate totals. Double click inside table to enter data. Be sure to check figures before submitting. Save entire file as a Word document, .doc, or .docx, not an .xls, or .xlsx.)

Budget Summary Worksheet

Category	Federal Request	Non-Federal Match	Total
Personnel	20053	3509	\$23,562
Fringe	6617	1158	\$7,775
Travel			\$0
Equipment			\$0
Supplies			\$0
Contractual		33000	\$33,000
Construction			\$0
Other			\$0
Total Direct Costs	\$26,670	\$37,667	\$64,337
Indirect Costs	13330	2333	\$15,663
TOTAL	\$40,000	\$40,000	\$80,000



**COLONEL STEPHEN E. WILSON
U.S. ARMY RETIRED
992 WILLIAMS WHARF ROAD
MATHEWS, VA 23109-2054**



September 27, 2016

Mr. Lewis L. Lawrence
Middle Peninsula Chesapeake Bay Public Access Authority
PO Box 286
Saluda, VA 23149

Subject: Mathews Land Conservancy (MLC) No Trespass Notice

Dear Mr. Lawrence,

Reference the "No Trespass Order" from the Mathews County Land Conservancy (MLC) dated September 30, 2013 denying us access to Williams Wharf Landing and other MLC-owned property.¹

The MLC, unlike private or public land owners who can arbitrarily and without any justification issue a no trespass notice to anyone, is encumbered by a deed of easement that guarantees public access to its property on Williams Wharf in perpetuity. It is only authorized to deny access, per § 2.3. of the deed, under two conditions. (See below.)

2.3. PUBLIC ACCESS. Except as provided herein, Grantor shall make the Property reasonably accessible to the public daily from sunrise to sunset under such rules, regulations, and fees as Grantor deems appropriate. Reasonable public access shall include but not be limited to the following uses without fee for citizens during normal operating hours: walking, fishing in designated areas, and individual and individual family picnicking in the facilities provided for such activities. Unless otherwise authorized by the Grantor, the Property, or portions thereof shall be closed to public access nightly from sunset to sunrise and for special events. During such times, access to the Property, or portions thereof may be denied. Permission to access the Property at night between sunset and sunrise for permitted purposes and to hold events on the property is subject to Grantor's prior written approval and requires a use permit issued by the Grantor. *Grantor may exclude from the Property anyone engaged in unlawful activities or disorderly conduct* (emphasis added). The Property shall not be unreasonably gated for the purpose of denying access to the public, however it may be gated to prevent vandalism, unlawful conduct, or danger to the public.

¹ A misnomer—the MLC is not a governmental entity and has no authority to issue an order. Henceforth, the letter will be known as a no trespass notice.

"Eastwinds"

If it is not rescinded, the no trespass notice sets a perilous precedent and endangers the public's access to Williams Wharf Landing and other MLC properties. Since we have never "engaged in unlawful activities or disorderly conduct" (See § 18.2-415. Disorderly conduct in public places of the Virginia Code) and have never been charged or convicted of the same, we do not meet the conditions cited in the Deed of Easement's § 2.3. to be denied access to MLC properties. If the MLC, a 501(c)(3) organization, which owns and manages a property under a conservation easement with Mathews County and the MP-PAA, can—with malice—arbitrarily deny us access to its facilities without regard to § 2.3., it can do the same to anyone with whom it has a disagreement given that "a no trespass notice requires no justification for its issuance", according to Sheriff Barrick.


Last week, we provided you by fax a copy of a legal opinion by Susanna Hickman, Esq., dated August 29, 2016, re: Public Access to Williams Wharf Landing. In that opinion, she wrote, "Upon reviewing the "Deed of Gift of Easement" ("Deed") from the Conservancy to the County of Mathews ("County") and the Middle Peninsula Chesapeake Bay Public Access Authority (MP-PAA), along with relevant statutes, I have concluded that there are no legal grounds by which the Conservancy can restrict the Wilsons from accessing the easement property."

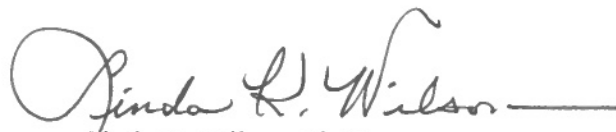
Per the Deed of Easement's § 3.3. RESPONSIBILITY OF COUNTY AND MP-PAA, the MP-PAA has "...principal responsibility for ensuring that waterfront property remains available to the public (i.e., § 2.3 Public Access), and County assumes principal responsibility for enforcement of all other Restrictions."

We respectfully request that you provide the MP-PAA Board of Directors with a copy of this letter and Mrs. Hickman's letter prior to the Board's October 14th meeting. We also request you place this issue on the agenda so that the Board can make an informed decision and instruct the MLC to rescind its September 30, 2013 no trespass notice.

We look forward to a speedy resolution of this situation and to your response. Should you wish to communicate with us regarding this matter, we can be reached at 804-725-0219 (home), 804-384-8951 (cell), or sewilson68@verizon.net (email).

Sincerely,


Stephen E. Wilson


Linda K. Wilson, Ph.D.

GEDDY, HARRIS, FRANCK & HICKMAN, L.L.P.

ATTORNEYS AT LAW

1177 JAMESTOWN ROAD

WILLIAMSBURG, VIRGINIA 23185

TELEPHONE: (757) 220-6500

FAX: (757) 229-5342

MAILING ADDRESS:

POST OFFICE BOX 379

WILLIAMSBURG, VIRGINIA 23187-0379

VERNON M. GEDDY, JR. (1926-2005)

STEPHEN D. HARRIS

SHELDON M. FRANCK

VERNON M. GEDDY, III

SUSANNA B. HICKMAN

ANDREW M. FRANCK

MICHAEL A. GATEN

SHERRI L. NELSON

August 29, 2016

Mr. James W. Smith, President
Mathews Land Conservancy
P.O. Box 306
Mathews, VA 23109

Re: Public Access to Williams Wharf Landing

Dear Mr. Smith:

I represent Col. Stephen E. and Dr. Linda K. Wilson, and am assisting them in regaining access to the Williams Wharf Landing. Upon reviewing the "Deed of Gift of Easement" ("Deed") from the Conservancy to the County of Mathews ("County") and the Middle Peninsula Chesapeake Bay Public Access Authority (MP-PAA), along with relevant statutes, I have concluded that there are no legal grounds by which the Conservancy can restrict the Wilsons from accessing the easement property.

While the Deed does specify that the Grantor (the Conservancy) may exclude anyone from the easement property, § 2.3 *Public Access* requires that for an individual to be excluded, he or she must engage in either unlawful activities or disorderly conduct (Virginia Code § 18.2-415). The Wilsons have not engaged in unlawful activities or disorderly conduct on the Conservancy's property at Williams Wharf. Their voicing of their opinions in fora such as public hearings hosted by the County is anything but disorderly conduct.

Additionally, the Deed later specifies, in § 3.3 *Responsibility of County and MP-PAA*, that the MP-PAA "hereby assumes principal responsibility for ensuring that waterfront property remains available to the public (i.e., § 2.3 *Public Access*)..." Because the Wilsons have engaged in neither unlawful activities nor disorderly conduct, there is absolutely no basis for the Conservancy's no trespass notice dated September 30, 2013 against them. Instead, it is the MP-PAA's duty to ensure that the Wilsons have ongoing daily access to the property.

For the foregoing reasons, I have advised both Col. and Dr. Wilson that they are able, along with the rest of the public, to access Williams Wharf Landing. The Wilsons have enjoyed living at Williams Wharf for over twenty years and look forward to many future events sponsored by the Conservancy and/or private events that will take place at Williams Wharf; for ex. the annual Market Days' Party at the Wharf. The Wilsons hereby request a certified letter delivered to our office rescinding the initial "No Trespass Notice" by Friday, September 23, 2016. Should you have any questions or concerns, do not hesitate to contact our office.

Sincerely,


Susanna Hickman

Cc: Middle Peninsula Chesapeake Bay Public Access Authority

15

NO AMC
LEWIS L. LAWRENCE, III (MPPDC)
P O BOX 286 - 125 BOWDEN STREET
SALUDA, VA 23149

File Number: CARRERAS0616

In accordance with your request, I have appraised the real property at:

TM 44 2R GORDONS MILL ROAD
TAPPAHANNOCK, VA 22560

The purpose of this appraisal is to develop an opinion of the defined value of the subject property, as vacant.
The property rights appraised are the fee simple interest in the site.

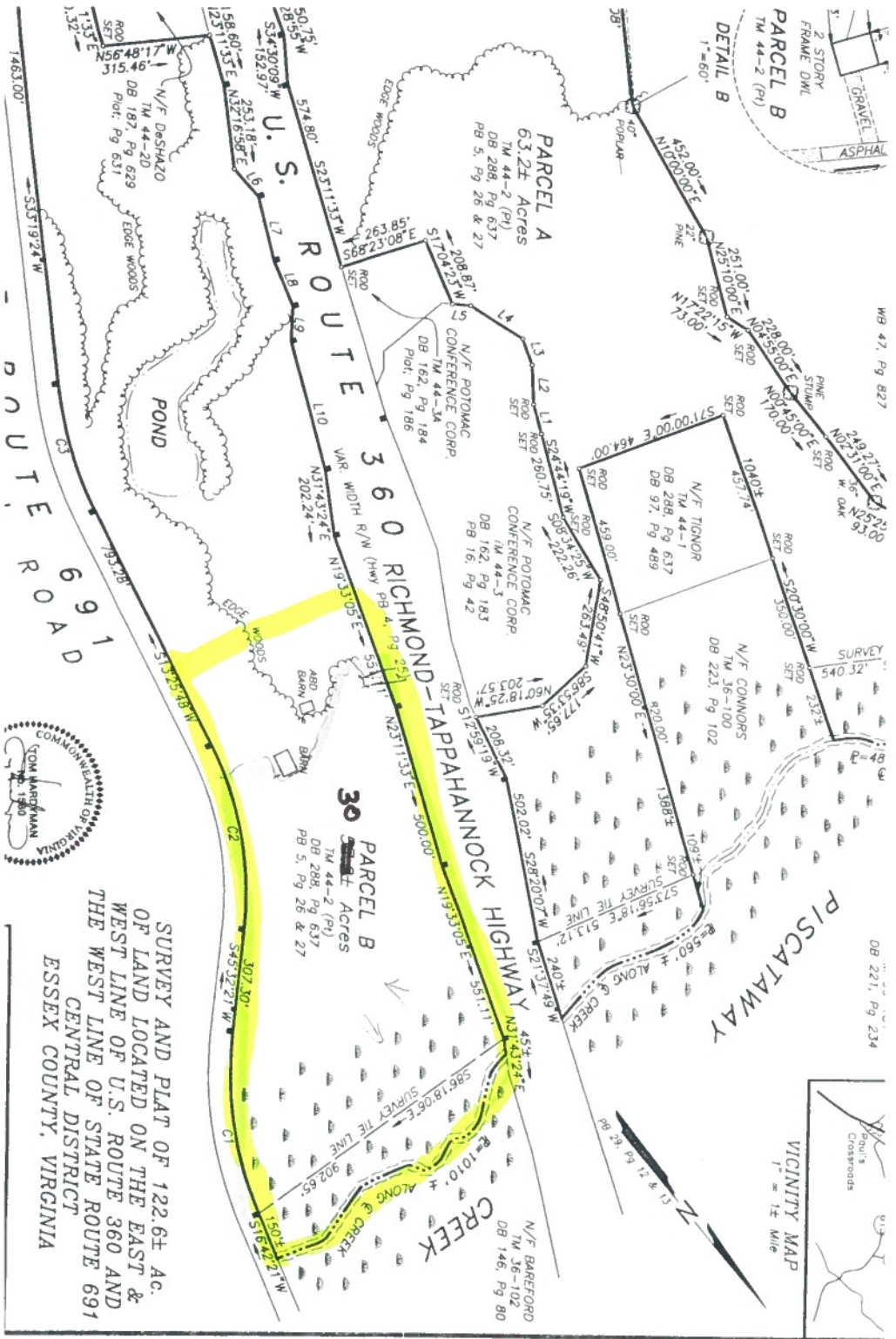
In my opinion, the defined value of the property as of June 27, 2016 is:

\$65,000
Sixty-Five Thousand Dollars

The attached report contains the description, analysis and supportive data for the conclusions, final opinion of value, descriptive photographs, assignment conditions and appropriate certifications.



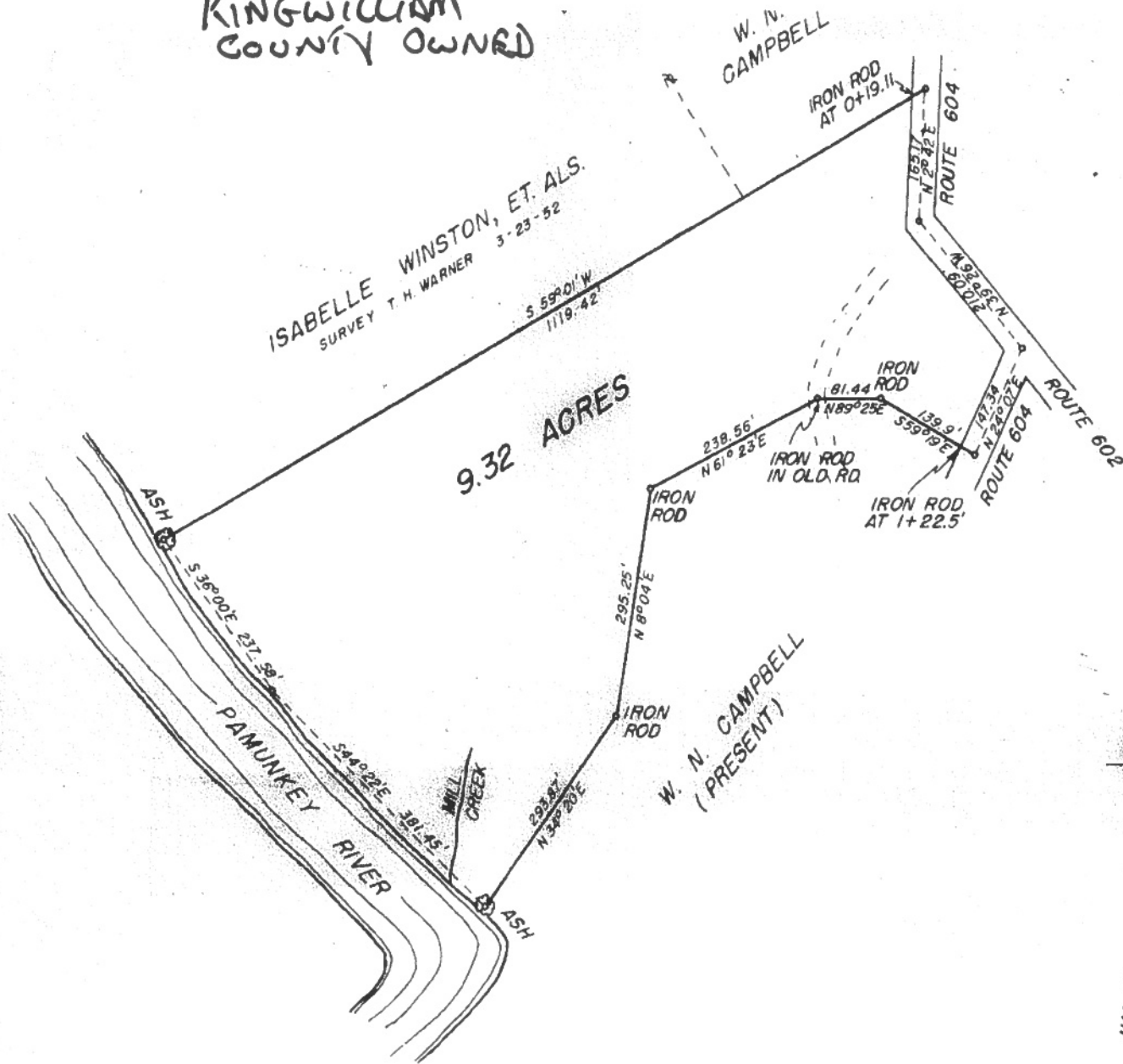
ANDREW SCOTT LANKFORD
CERTIFIED RESIDENTIAL REAL ESTATE APPRAISER



SURVEY AND PLAT OF 122.6± AC.
OF LAND LOCATED ON THE EAST &
WEST LINE OF U.S. ROUTE 360 AND
THE WEST LINE OF STATE ROUTE 691
CENTRAL DISTRICT
ESSEX COUNTY, VIRGINIA



KINGWILLIAM
COUNTY OWNED



PLAT OF SURVEY
A PARCEL OF "DABNEYS MILL" TRACT
OWNED BY
W. N. CAMPBELL

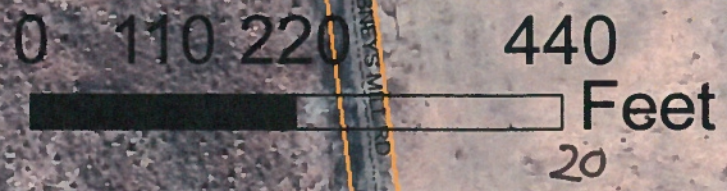


ACQUINTON MAG. DISTRICT
KING WILLIAM CO, VIRGINIA

SCALE: 1" = 200'
APRIL 15, 1966



LANDING RD



DARBREYS MILL RD

From: G. David Selph
Sent: Tuesday, June 28, 2016 10:46 AM
To: David W. Kretz
Subject: RE: Building Report- Middle Peninsula Chesapeake Bay Public Access Authority

I have reviewed Jamie Wilks' five page report and 46 photos he took of the structure. The report and photos provide a very good summary of the condition of the structure. There is evidence of significant structural damage and decay .

In order to rehab the structure for any use,

1. It would have to be elevated above the flood plain on open piles or masonry columns. This will require an engineer to design a new foundation.
2. All walls would be required to be opened for repair, and install all new plumbing, electrical, mechanical and insulation.
3. All floor systems will require re-engineering and framing for the loads proposed for the new use as a 'public use' structure.
4. The roof structure shows evidence of water damage and rot.
5. All of the windows would have to be replaced with new energy efficient windows.
6. In the photos, I did not see any asbestos, however, prior to renovation or demolition, an inspection pursuant to Code of VA Section 54.1-503 will have to be conducted and if present the asbestos shall be abated in accordance with the Clean Air Act.
7. Given the age of the structure, lead based paints are assumed and would have to be abated in accordance with EPA regulations.

In my estimation, it would not be cost effective to attempt to rehab this structure for public use. It would more cost effective to build a new structure on site that suits the desired purpose and complies with all current development and construction codes.

The structure has no historical value. The structure is a liability, and should be demolished and removed. Based on the evidence I have, I would agree with all of Jamie's analysis and summary.

David Selph, CBO, CFM
Building Official
Middlesex County

NOTICE OF DEFAULT
FAILURE TO PAY RENT

Shepherd's Property Maint. Landlord

vs.
Christopher J. Kurkowski Tenant(s)

In accordance with Section 55-248.31 of the Code of Virginia, you are hereby notified that you are in default in the payment of rent, late charges and other charges for the following premises 9524 Whitaker Dr. as itemized below:
Colonial Park VA 23061

Rent for the month(s) of: <u>August + September</u>	\$ <u>2000⁰⁰</u>
Late fees for the month(s) of: <u>August + September</u>	\$ <u>300⁰⁰</u>
Miscellaneous charges: <u>Electric bill</u>	\$ <u>1472.23</u>
Amount due landlord as of: / /	\$ <u>3772.23</u>

I hereby demand payment of the aforesaid balance within five days after the date of this notice, in default of which I shall require and demand possession of the aforesaid premises and I shall proceed by due process of law to recover possession of said premises by turning your account over to our attorney which will lead to immediate institution of eviction proceedings. In accordance with Section 55-248.31 of the Code of Virginia, you are then liable for additional court costs and attorney fees.

Attorney fees are 25% of the amount due landlord: \$943⁰⁰. Court costs are: \$66⁰⁰. You may also be liable for the eviction fees. *You may avoid paying attorney fees and court costs only if the landlord receives the total amount due by certified check, cashier's check or money order within five days of this notice.* Post marks will not be accepted.

Take notice that all payments are hereby received with reservation and acceptance of such payments does not constitute a waiver of the landlord's right to receive an order of possession.

In accordance with Section 55-248.31 of the Code of Virginia, it is hereby certified that a true copy of this notice was mailed to the tenant(s) named herein, addressed to said tenant(s) at the address of the property named herein, on the 7 day of September, 2016.

Landlord
By: [Signature]
Agent's Signature

COURT OCT 14TH

Maritime Business Park – Hatchery

Lewie – apologies, meant to get you these last week. See redacted comments below.

Project 53455 (Hatchery): there were no direct comments associated to the nutrient removal, specifically. There was a more general comment mentioning that the outcomes of the project were substantial and valuable – so I would say you hit the mark on those! Project links water quality benefits to local economic development through public private partnership. Advances aquaculture and has potential to increase hatchery production which is a challenge in the bay. Great metrics associated with the project and potential outcomes. However, reviewers had some concerns and confusion regarding how this oyster aquaculture business model. More specifically, they were concerned with the fact that it specifies that this would be a publically owned but privately run oyster hatchery providing high quality seed, but does not specify if Oyster Company of Virginia would charge others for this seed and who would keep the profits. So, further explanation on this matter would be a suggestion for improving the project.

Lewie Lawrence

From: Jeff McDermott [jsm7276@erols.com]
Sent: Tuesday, October 04, 2016 7:16 PM
To: Lewie Lawrence
Subject: road

Lewie,

I mentioned that we have a new contract on the house. Today the buyers asked for an extension which we granted. The buyer is Allan Helton and he is a JAG officer I think in the Marine Corp and I am pretty positive a Colonel. The loan is a VA and the extension was due to Allan owning a home in Fredericksburg which is in his name and his ex-wife's. The VA wants that house to be re-financed in her name only. The process has been underway for a while as Allan anticipated this but could not be completed by the close date next Wednesday. His ex-wife is a GS15 in the government and they do not anticipate any problems with her getting the loan. His new wife is a German named Britta.

Today the loan underwriters asked questions about the road maintenance. They want a written agreement between you and me that we share in the maintenance. I want to explain to them that the AG ruled that the county owns the road and that the county attorney has acknowledged that but that the county has not yet accepted its responsibility to maintain it. Can you send me the AG's letter and the county's acknowledgement? I will draft something regarding our agreement and send it to you. Hopefully we can get this done quickly so it doesn't cause further delays. I also want to word it in a way that it does not bring in the other lot owners who frankly never use the road. Any thoughts on getting this done quickly and in a way acceptable to the VA would be appreciated? Anything new with the county?

Looks like I will be here at least through black powder season so will communicate on any hunting. Have only seen a few does going in and out of the corral all summer long. Not a single buck. I did see a massive set of tracks under the metal rood building in the corral during spring turkey season. Some big buck made it through last season. I got data from DGIF a few weeks ago that the farmers have killed over 2100 deer in Gloucester County in the past 10 years. My guess is most of those were in Robbins Neck.

Jeff