

**VIRGINIA:**

A special meeting of the Lancaster County Board of Supervisors was held in the Administrative Building Board/Commission Meeting Room of said county on Tuesday, May 13, 2014.

Members Present: B. Wally Beauchamp, Chair

Jason D. Bellows, Vice Chair

F. W. Jenkins, Jr., Board Member

Ernest W. Palin, Jr., Board Member

William R. Lee, Board Member

Staff Present: Frank A. Pleva, County Administrator

Don G. Gill, Planning and Land Use Director

Jack Larson, Finance Consultant

Crystal Whay, Building/Land Use Secretary

Mr. Beauchamp called the meeting to order at 8:00 p.m.

**Proposed Dymer Creek Boat Ramp Project**

Mr. Beauchamp asked Ben Burton of Bay Design to give an update on the latest study done at the Dymer Creek site.

Mr. Burton stated that after some public meetings concerning the proposed boat ramp site, there have been some reviews conducted of the site with various agencies that would review the joint permit application should the Board of Supervisors decide to submit it. He stated that there were some wetlands issues that have been addressed to lessen the impacts. He stated that one of the biggest things that was done was on April 23, when a geotechnical firm visited the site and took samples of the bottom of the proposed dredge channel. He stated that all the Board members should have a copy of the formal report. He stated that the firm took 4 samples along the proposed 500 foot channel and classified the material. He stated that it was confirmed that the dredging would occur in various silts and sands and that the area could be easily dredged, either mechanically or hydraulically. He stated that his firm's suggestion is that the area be hydraulically dredged because it was a better way to contain material for dewatering purposes.

Mr. Burton stated that the geotechnical firm was also asked to find out what the material on the bottom consisted of and whether it would hold its shape once dredged. He

stated that it was confirmed that the proposed dredge bottom had elastic silts, creating a plastic soil environment. He stated that what the term plastic meant in engineering language is that the soil material is more cohesive than non-plastic soils. He stated that the plastic soils will hold to one another. He stated that the firm's suggestion was for a 5 to 1 slope for longer term stability for the channel. He stated that the firm's technician also noticed that the tide action on this branch of the creek does not have high velocity and therefore, significant amounts of material will not be brought in or taken out during the tide changes. He stated that the geotechnical firm does recommend planning on some maintenance dredging further down the road, but the frequency depends on to how much use the channel will get and potential storms. He stated that, in summary, the materials at the site are consistent with materials in other dredged areas in the Northern Neck and Middle Peninsula.

Mr. Beauchamp stated that his position on the proposed boat ramp is not positive by any means. He stated that he totally supports increased public access to the water but he strongly feels that the proposed site is not a good location. He stated that as an angler and boater, he was not comfortable with the width of the proposed dredging. He stated that he totally supported the County in doing its due diligence to determine the feasibility of the location and the studies have been completed.

Mr. Beauchamp stated that he had visited the site on numerous occasions and had viewed it at low and high tides. He stated that he was not going to disagree with the engineering reports because he was not an engineer, but at low tide, it is a mud flat. He stated that even after dredging, depending on usage, which is unknown, we would not know how often it would require re-dredging. He stated that he thought they were tying an albatross around the neck of the County. He stated that he thought the County would be making a major mistake by proceeding with the proposed project.

Mr. Beauchamp stated that he thought the County should establish a committee of County citizens with board members to do an in-depth study of public access locations. He stated that more possibilities have come up since they began looking at the proposed area. He stated that a question he has is are they building a ramp at taxpayers' expense for use by primarily out of county residents. He stated that he cannot support the project and he thought the County would be potentially looking at lawsuits in the future.

Mr. Bellows stated that he agreed with Mr. Beauchamp. He stated that he had been a boater all of his life and was familiar with the area of the proposed ramp and it is a mud flat. He stated that he did not think the County wanted to get into another situation like Greenvale Creek, where there is on-going maintenance. He stated that he thought there was a good group of people willing to serve on a committee to look into public access sites. He stated that there should be other sites looked at that would be more beneficial to the citizens of the County. He stated that he could not support the proposed ramp.

Mr. Lee stated that he thought he had spent more time in the area than the others because he had hunted the area and was very familiar with it. He stated that he had a

problem with the previous boards and that possibly this board was going down the same path in that everyone is looking for the perfect spot. He stated that sometimes perfect can become the enemy of good. He stated that the Dymer Creek site is not an ideal spot for a ramp, but the data does support it. He stated that it comes down to whether or not they should use the taxpayers' money to put a ramp there and would it get used. He stated that, in his opinion, he thought there would be minimal use by County residents. He stated that some other places have come up in the last few weeks and he thought those options should be explored.

Mr. Palin stated that the public access issue has been around ever since he has been on the Board. He stated that they have come up with committees and done studies in the past and it is time that they do something. He stated that he is not for putting a boat ramp or fishing pier where it is not feasible and would be a waste of taxpayers' dollars. He stated that if Dymer Creek was not the place, then his question is where is the place. He stated that it did not matter where they went, there would always be controversy.

Mr. Palin stated that after looking at the area, it appears to be a large area with lots of boats already and he did not think if they put in a ramp, that it would generate that much more traffic to upset anyone. He stated that sometimes people imagine the worst and then after it happens, they realize that what had happened was not as bad as they thought. He stated that he thought the boat ramp project was one of those things. He stated that, in his opinion, the boat ramp would not be a harassment to the neighbors on the creek.

Mr. Jenkins stated that he had a list of why they should proceed with the boat ramp, but he could count, so he would save some time and not comment.

Mr. Bellows made a motion that the Board of Supervisors not submit the request for the Joint Permit Application to the Virginia Marine Resources Commission, the Virginia Department of Environmental Quality and the U. S. Army Corps of Engineers.

VOTE:	B. Wally Beauchamp	Aye
	Jason D. Bellows	Aye
	F. W. Jenkins, Jr.	Nay
	Ernest W. Palin, Jr.	Nay
	William R. Lee	Aye

VOTE: 3-2 Motion carried.

Mr. Bellows made a motion that the Board of Supervisors not accept the grant from the Virginia Department of Game and Inland Fisheries for this project.

VOTE:	B. Wally Beauchamp	Aye
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Jason D. Bellows	Aye
F. W. Jenkins, Jr.	Nay
Ernest W. Palin, Jr.	Nay
William R. Lee	Aye

VOTE: 3-2 Motion carried.

Mr. Beauchamp stated that this has been a difficult decision and he agreed that they cannot drop the public access effort.

Mr. Palin stated that the group of citizens that were not in favor of the boat ramp had been respectful to the Board and he appreciated that. He stated that although some recommendations have been made, he is looking for further assistance for the Board of Supervisors to come up with a solution for an access site. He stated that the County needs not only a boat ramp, but a fishing pier as well. He stated that after having conversations and reading e-mails from those in opposition, he is waiting to see what they will do in helping with that cause. He stated that he was almost to the point where he was about to lose faith and he did not want to do that.

Mr. Palin addressed Carl Smith and stated that he appreciated his correspondence and hoped he would help the County to accomplish its public access endeavor. He further stated that he did not think it should take another four years to get public access.

Mr. Beauchamp stated that it had been a very civil and reasonable response to an issue and he appreciated it. He stated that he would be looking to some audience members to serve on the public access committee.

Mr. Lee stated that they cannot let perfect become the enemy of good. He stated that he knew that people in the area want a fishing pier. He stated that he is the facility manager at Camp Kekoka and he constantly sees people who want to come to fish off of the dock there all summer. He stated that some of those people do not have a boat, but they still want to fish, so while the County is looking for a location, a fishing pier needs to be considered.

**ADJOURNMENT**

Motion was made by Mr. Jenkins to adjourn to Thursday, May 22<sup>nd</sup> at 4:00 p.m. for a budget work session.

VOTE:	B. Wally Beauchamp	Aye
	Jason D. Bellows	Aye

F. W. Jenkins, Jr.	Aye
Ernest W. Palin, Jr.	Aye
William R. Lee	Aye