

Eastern Shore Regional Navigable Waterway Committee

ESRNWC April 20, 2023 Minutes

A meeting of the Eastern Shore Regional Navigable Waterways Committee was held on the 20th day of April, 2023 at 3:00 p.m. at The Enterprise Building, A-NPDC, 23372 Front Street, Accomac, VA 23301.

Members Present:

Accomack

John Joeckel, Chair, Selection Committee

Danny Bowden

William J. "Billy" Tarr

Donald Hart

John Tavolaro, Selection Committee

Northampton

Andy Dunton, Vice Chair, Selection Committee

Robert Harris

Dixon Leatherbury

J.T. Holland

Members Absent

John Coker

Others Present:

Jessica Steelman, A-NPDC

Anne Doyle, A-NPDC

Elaine Meil, A-NPDC

Kim Huskey, Cherrystone Aqua Farms*

Jeff Deem, Wachapreague Resident

*participated via the Zoom platform or conference call for facilitation & presentation purposes.

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1. Call to Order:

Chairman John Joeckel called the meeting to order at 2:59 p.m.

2. Old Business:

Minutes of the January 19, 2023 Meeting –

Staff presented the minutes of the January 19, 2023 meeting.

Committee member Bowden made a motion to pass the January 2023 minutes; seconded by Committee member Tarr, the motion carried unanimously.

A-NPDC Commission Updates, Elaine Meil –

Ms. Meil introduced the topic of staffing the Committee, presenting a timeline of events since the inception of the Committee and the role the A-NPDC has played staffing the Committee. It was expressed by Ms. Meil that the A-NPDC is not seeking to terminate staffing services with the Committee, but in fulfilling the staff role, offering all information and processes that would be required to change Committee staff.

Ms. Meil addressed some inaccuracies in the correspondence that was received from Chairman Joeckel:

- A-NPDC project management of dredging projects was discussed amongst County Supervisors and Board of Supervisor Chairs upon determination that a Water Access Authority would not be authorized, that a management agency had to be identified to handle the funded projects. (*pg. 5, A-NPDC Working Waterfronts Plan Update*)
- The A-NPDC has construction management experience, including management of over \$110M of federal and state construction grant management over the past ten years, involving the development of the Eastern Shore Broadband backbone, including management of maritime and working waterfront issues. The A-NPDC also has a former building inspector on staff who conducted all but the electrical inspections for the new hospital, and a Director with past experience on the Granby Bridge Replacement during their time with the City of Norfolk.

Ms. Meil addressed the A-NPDC understanding of the meaning of staff support, which is not only scheduling meetings, developing agendas, and writing minutes; staff support also involves receiving work requests or tasks and producing the requested product, corresponding with members of the public that reach out, and liaising between the Committee and the Counties.

Ms. Meil clarified the project management provided by the A-NPDC for dredge projects is not a part of the staff support provided to the Committee. Project management is done by administrative contract with each County; these will remain in force until or unless the Counties make any changes.

Ms. Meil pointed out the critical stage the Kings Creek project is in and expressed the A-NPDC's desire to continue being inclusive of the Committee and provide staff support on the review of proposals for Kings Creek dredging. Ms. Meil requested that should the Committee request to terminate staff support from the A-NPDC, they do so no sooner than May 19, 2023 to allow ample time for the Selection Committee and A-NPDC staff to review proposals and determine an awardee.

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Ms. Meil reviewed the *Work Plan*, addressing the processes and procedures necessary to change Committee staff support and (if County terminates) project management.

Discussion ensued as Chairman Joeckel expressed his sentiments and desire for the Committee to move on from the working relationship with the A-NPDC. Committee member Tarr expressed his frustrations with his sense of lack of communication between the A-NPDC and the Committee. Secretary Steelman reviewed the dates of email communication and internal A-NPDC communications that were had, and the CC of all Committee members on email communications. Ms. Meil expressed that part of project management is to ensure timely completion of deliverables.

Discussion ensued regarding the Committee Joint Resolution. Ms. Meil concluded the discussion reiterating the distinction between the A-NPDC's roles as staff support for the Committee and project manager for each County. Per the contracts with the County, A-NPDC is only required to provide four (4) written updates to share with the Committee at the quarterly meetings. A-NPDC has historically sought to blend the Committee members in with project management because of the Committee's stakes and interests.

Committee member Dunton expressed he only recently (the evening prior) heard of these Committee concerns and inquired how it is not a conflict of interest to award a Committee member or Chairman (or respective LLC) with a project management contract and is there a conflict to vote on suggesting this LLC to the Counties. Chairman Joeckel responded that should his company be awarded, he would no longer be a member of the Committee. He further stated he would be recusing himself from any votes that involved him and/or his LLC.

Committee member Leatherbury expressed the need for identifying problems before solutions can be explored and historically the A-NPDC has done a positive job of handling these types of issues. Ms. Meil responded that the A-NPDC is again not seeking to terminate staff support to the Committee, but regardless will always be available to provide assistance to both Counties and the Committee.

Committee member Holland expressed his gratitude to the A-NPDC for all that has been done for the Eastern Shore as a region. Mr. Holland also shared he too just learned of these Committee concerns the evening prior and that his preference is to have further discussions with the (Northampton) County that appoints him before making any votes.

Committee member Tarr motioned to change service providers currently providing staff support and project management services to the Eastern Shore Regional Navigable Waterways Committee. Committee member Bowden seconded the motion.

Discussion ensued to amend the original motion language. Committee member Leatherbury motioned to alter the motion to read instead to change the method of service providers currently providing staff support and project management services to the Eastern Shore Regional Navigable Waterways Committee. Committee member Dunton seconded the motion. As a result of Committee member Tarr not accepting this change, the amended motion went to a vote. The motion did not carry 5-4 (Yay – Leatherbury, Holland, Harris, Dunton; Nay – Tarr, Joeckel, Hart, Tavolaro, Bowden).

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The Committee then voted on the original motion to change service providers currently providing staff support and project management services, which carried 6-3 (Yay – Tarr, Hart, Tavolaro, Harris, Bowden, Joeckel; Nay – Leatherbury, Holland, Dunton).

Committee member Tarr made a second motion to recommend to the Accomack and Northampton County Board of Supervisors and County Administrators to recommend SEAconsult, LLC as a replacement service provider for staff support and project management. Committee member Bowden seconded the motion. Chairman Joeckel recused himself from this vote. The motion carried 5-3 (Yay – Harris, Bowden, Tarr, Hart, Tavolaro; Nay – Leatherbury, Holland, Dunton). Chairman Joeckel abstained due to SEAconsult, LLC being owned by himself.

Public Comment –
None.

Committee Business –
None.

Adjourn –
Committee member Holland made a motion to adjourn the meeting; seconded by Committee member Tarr, the motion carried unanimously. The meeting adjourned at 4:09PM.

John Joeckel, Chair

Jessica Steelman, Secretary

Date