

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, MAY 21, 1996, IN THE BOARD ROOM OF THE
WOODWARD BUILDING, SALUDA, VIRGINIA:

Present: Fred S. Crittenden, Pinetop District
Kenneth W. Williams, Pinetop District
John D. Miller, Jr., Saluda District
Lenora O. Weber, Saluda District
Frank Jessie, Jamaica District

Michael T. Soberick, County Attorney
Charles M. Culley, Jr., County Administrator

CALL TO ORDER

The meeting was called to order at 7:30 p.m. by the Chairman, Mr. Crittenden.

VACATION OF PLAT

Mr. Soberick discussed the need for the Board of Supervisors to vacate a portion of a plat recorded at Plat Book 78, page 235. The specific portion to be vacated is that area designated as "Landing, 0.35 A". This property was sold to Mr. Charles Underwood following a request for bids and public hearing for the disposition of public property. It is the opinion of the title insurance company that Mr. Underwood would not be able to receive clear title to the property unless the designation of "landing" is removed.

Mr. Crittenden opened a public hearing for comments. There being none, the public portion of the hearing was closed. The motion to approve the vacation of the wording "Landing, 0.35 A" from the plat was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously.

SPECIAL EXCEPTION - SP-96-002

Mr. Culley introduced Special Exception Application SP-96-002, an application to operate professional offices, in a Low Density Rural Zoning District, as submitted by Marsh Pungo Terrace Apartments, Ltd., c/o Mrs. Myrtle Faulkner.. Mr. Culley indicated that there should be little or no impact on surrounding uses by the proposed use of the apartment buildings by the Rural Infant Services Program (RISP). This program is a counseling/service program operated as part of the Middle Peninsula-Northern Neck Community Services Board. The application was reviewed by the Planning Commission at their meeting on May 20 and was recommended for approval by the RISP group only.

Mr. Crittenden opened the public hearing for comments from the public. There being none, the public portion of the hearing was closed. The motion to approve Special Exception Application SP-96-002, as recommended by the Planning Commission, with the condition that approval is granted for use by the RISP group only, was made by Mr. Miller, seconded by Mrs. Weber and carried unanimously .

APPROPRIATION

The motion to approve an appropriation of \$1,120.50 for distribution to the County's two rescue squads was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously . This money was a portion of the total of \$4,645.50 received in February '95 for distribution to the squads as Two-for-Life funds; only \$3,525 had been distributed.

CABLEVISION REQUEST

The motion to proceed with a request from Cablevision for filming and interviewing in the County for a presentation on Channel 10, was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously. A selection of two (2) persons to be interviewed will be made at the Board's June meeting.

BROAD CREEK SPOIL SITE

Cutting Foliage:

The Board agreed to contract with Brownley Surveying to flag the boundary lines of the spoil site so that brush can be trimmed.

Use of Sand:

The motion to allow the removal of sand from the site, upon signing a liability release, was made by Mr. Williams, seconded by Mrs. Weber and carried unanimously .

APPROPRIATION - SCHOOL FOOD FUND

The motion to appropriate the school food fund, \$371,903.28, for the 1996/97 year was made by Mr. Williams, seconded by Mr. Miller and carried unanimously .

GOVERNOR'S CONFERENCE ON EDUCATION

Mr. Miller was selected to attend the Governor's Conference on Education scheduled for July 23, 1996. Any other Board member wishing to attend is to contact Mr. Culley.

REQUEST FOR NO-WAKE SIGNS ON JACKSON CREEK

The Board reviewed an application for the placement of no wake signs at the entrance to Jackson Creek. The motion to proceed with advertising for a public hearing to consider adoption of an ordinance was made by Mr. Miller, seconded by Mr. Williams and carried unanimously . Mr. Williams noted that he took exception to a statement in a letter from Mr. Robert Bode to the Department of Game and Inland Fisheries that indicated that commercial fishing boats were entering and exiting the Creek at full speed.

SLEEVE FOR SEWER PIPE

The Board reviewed the price of \$9,000 obtained from Richard Crowder Construction for installing a 6" PVC sleeve through an open cut in Route 33 between Rappahannock Central Elementary and St. Clare Walker Schools. The motion to advertise for bids on this project was made by Mr. Williams, seconded by Mr. Miller and carried unanimously .

SITE PLAN - ATLANTIC METALS

Mr. Culley indicated that the Planning Commission had reviewed a site plan for an office building to be located at the site of Atlantic Metals in Topping that would be approved if he received no objection from the Board.

RESOLUTION - ROUTE 636 PROJECT

The motion to adopt the following resolution regarding the Board's decision on May 7 asking the Highway Department to proceed with improvements to Route 636 was made by Mr. Williams, seconded by Mr. Miller and carried unanimously:

RESOLUTION

VIRGINIA DEPARTMENT OF TRANSPORTATION

IMPROVEMENTS TO STATE ROUTE 636

WHEREAS, the Board of Supervisors and Department of Transportation have discussed the need for certain improvements on State Route 636; and

WHEREAS, the Middlesex County Board of Supervisors has slated these improvements to Route 636 as a number one priority on the County's Six-Year Highway Improvement Plan; and

WHEREAS, these improvements will require the acquisition of certain property to expand the right-of-way for Route 636;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Middlesex County, Virginia, hereby supports the proposed improvements on Route 636 as designed by the Virginia Department of Transportation; and

BE IT FURTHER RESOLVED that due to a personal hardship, the Board of Supervisors requests that the Virginia Department of Transportation accelerate the acquisition of property belonging to Genevieve Jones known as Tax Map Parcels 41-30 and 31B.

CERTIFICATION

I, Charles M. Culley, Jr., Clerk of the Board of Supervisors of the County of Middlesex, Virginia, certify that the foregoing is a true and correct copy of a resolution passed at a lawfully organized meeting of the Board of Supervisors of Middlesex County held at Saluda, Virginia, at 7:30 P.M., on May 21, 1996. Given under my hand and seal of Middlesex County, Virginia, this 21st day of May, 1996.

Charles M. Culley, Jr., Clerk

RESOLUTION - FUNDING ST. CLARE WALKER RENOVATIONS

As explained by Mr. Soberick, First Union Bank has proposed no legal deed of trust of commitment for repayment of a \$500,000 loan for improvements to the building. The motion to adopt the following resolution regarding funding for renovations at St. Clare Walker school into office space was made by Mr. Jessie, seconded by Mr. Williams and carried unanimously:

RESOLUTION

FINANCING RENOVATIONS OF

ST. CLARE WALKER SCHOOL

WHEREAS, the Board of Supervisors of Middlesex County, Virginia (the "Board") proposes to obtain financing for the renovation and conversion of a school building

into an office building (the "Project") located in Middlesex County, Virginia (the "County");

WHEREAS, the County Administrator has received a proposal from First Union National Bank of Virginia (the "Bank"), dated May 10, 1996 (the "Commitment Letter"), setting forth the terms upon which the Bank will provide financing for the proposed Project; and

WHEREAS, a copy of the Commitment Letter has been presented to the Board at this meeting;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MIDDLESEX COUNTY, VIRGINIA:

1. The Board hereby determines that it is in the best interests of the County to accept the Commitment Letter of the Bank and hereby accepts such Commitment Letter, subject to such changes being made therein as are requested by the County Attorney.
2. The Chairman and Vice Chairman of the Board and the County Administrator are each authorized and directed to execute the Commitment Letter on behalf of the County.
3. The County Administrator and such officers, employees, and agents of the County as he may designate are authorized and directed to execute and deliver any and all instruments, certificates and other documents required to carry out the purposes of this Resolution.

CERTIFICATION

I, Charles M. Culley, Jr., Clerk of the Board of Supervisors of the County of Middlesex, Virginia, certify that the foregoing is a true and correct copy of a resolution passed at a lawfully organized meeting of the Board of Supervisors of Middlesex County held at Saluda, Virginia, at 7:30 P.M., on May 21, 1996. Given under my hand and seal of Middlesex County, Virginia, this 21st day of May, 1996.

Charles M. Culley, Jr., Clerk

NEW BUSINESS

Repairs at Puller Center:

The motion to appropriate an amount not to exceed \$2,000 for replacement of an older heat pump unit that has gone bad at the Puller Center was made by Mr. Jessie, seconded by Mr. Miller and carried unanimously .

Update of Sport's Complex Funds:

Mr. Culley provided Board members with information to be used with the second billing to the State for reimbursement of funds expended at the Sport's Complex. Mr. Culley will meet with the Complex Committee on May 22 to discuss the same information.

Budget Work Session:

Board members decided to meet on June 30, 1996, at 7:30 P.M., in the Board Room to conduct a budget work session.

Manual Checks:

Three manual checks were approved by motion of Mr. Williams, seconded by Mr. Miller and carried unanimously. Checks numbered 23951 - 23953, totaling \$11,860.00, would be disbursed as approved.

EXECUTIVE SESSION

The motion to convene in executive session to discuss matters pertaining to pending litigation and consultation with legal counsel regarding the roof at the new St. Clare Walker School, pursuant to Code of Virginia, Section 2.1-344.a7, and personnel matters, pursuant to Code of Virginia, Section 2.1-344.a1, was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously. Upon reconvening in open session, the following motion was made by Mr. Williams, seconded by Mr. Jessie and carried unanimously:

- To the best of the members knowledge, only public business matters lawfully exempted and identified in the motion by which the executive meeting convened were discussed in executive session.

Action:

- There was no action as a result of the Executive Session.

RECESS

There being no additional business, the meeting was recessed until the work session on the budget scheduled for May 30, 1996, at 7:30 P.M. in the Board Room.

Fred S. Crittenden, Chairman
Board of Supervisors