

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS  
HELD ON TUESDAY, SEPTEMBER 3, 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 9:00 a.m. by the Chairman, Mr. Crittenden and opened with a prayer

**MINUTES**

The minutes of the August 6th and August 20th meetings of the Board were considered and several revisions made. The motion to approve the minutes as revised, with corrections to be made in the final copies, was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously.

**DISBURSEMENTS**

The motion to approve disbursements for August was made by Mr. Williams, seconded by Mr. Jessie and carried unanimously. Checks numbered 24698 through 24821, totaling \$119,545.40 were disbursed as approved.

**PAYROLL**

The motion to approve payroll for August was made by Mr. Williams, seconded by Mr. Miller and carried unanimously. Checks numbered 24616 - 24696 totaling \$110,932.57 were disbursed as approved.

**COMMITTEE REPORTS**

Mr. Williams:

- Attended meeting of Rappahannock River Basin meeting in Fredericksburg.

Mrs. Weber:

- General Government Committee of VACo will be working on comprehensive services, unfunded mandates, requirements for septic system pump-out and supervisors participation in the state retirement system.
- Sports Complex -- there are plans for an upcoming fund drive
- Emergency Services -- appreciation for personnel staffing County office during hurricane events.

Mr. Jessie:

- Jail Authority -- may proceed with request to amend the Zoning Ordinance to specify jails as a permitted use.

Mr. Miller:

- Economic Development Committee -- names being collected for Industrial Development Authority; several civic group presentations have been made
- Chamber of Commerce: Membership drive in progress; golf tournament in October

Mr. Crittenden:

- Airport Committee -- Fly In/Car Show preparations are proceeding
- Planning District Commission - Revisions have been proposed to amend the by-laws to add county administrators as representatives.
- Sports Complex - a meeting was held with Mr. Fleet and Mr. Moore representing the Sports Complex, Jerry Cassidy of the Department of Conservation and Recreation, Mr. Culley, Mr. Williams and Mr. Crittenden regarding reimbursements for the Sports Complex.

### **CONSTITUTIONAL OFFICERS**

Sheriff:

- Computer Equipment -- installation of computer equipment was done by Lew Jones.
- Board of Supervisors requested Sheriff's monthly attendance with the Board. Sheriff requested notice of items in question or to be discussed.

Treasurer:

- Waiting for price to advertise delinquent real estate accounts.

### **ANIMAL CONTROL WARDEN**

Mrs. Jones, Assistant Administrator, introduced Marvin Estes, the County's new Animal Control Warden. Mr. Estes started work with the County on August 21, 1996.

### **HEALTH DEPARTMENT**

Dr. Winter presented the Department's quarterly report. He reported that the district's year-end settlement with the State should be favorable.

### **HIGHWAY MATTERS**

Route 625 -- Traffic engineers have agreed to place 40 mph limit through all of Route 625, subject to Commonwealth Transportation Board approval.

Park and Ride -- Complete

Fencing at School -- Fence being installed

Route 33 project -- Supervisors requested light and/or strict maintenance of speed limit in construction area; new entrance at Health Department/School needs to be checked to see if it is wide enough for buses and cars to use simultaneously.

## **COMMERCIAL WASTE HAULING**

Mr. Steve Geissler, Executive Director, Virginia Peninsulas Public Service Authority, presented revised costs for commercial waste hauling. The motion authorizing Mr. Geissler to notify all the commercial customers and request their preliminary level of service was made by Mr. Williams, seconded by Mr. Miller and carried unanimously. It was added that Waste Management would be purchasing the County's dumpster containers and would establish a five (5) year contract for service.

## **FARM SERVICES AGENCY**

Mr. Ricky Hudgins, Director, Federal Farm Programs for Middlesex, Mathews, Gloucester Counties, presented information regarding the local disaster to vegetable agricultural crops because of heavy rains. He stated that if designated a disaster area by the County, the Governor will be petitioned, who in turn will petition the President and Secretary of Agriculture for designation. This process would allow for the availability of low interest loans for farmers.

The motion to adopt the following resolution declaring a local emergency with regard to vegetable crops was made by Mr. Jessie and seconded by Mr. Miller. The motion carried by a vote of four (4) for, none opposed and one (1) abstention (Mr. Crittenden).

### **RESOLUTION**

#### **DECLARATION OF STATE OF EMERGENCY**

**WHEREAS**, Middlesex County has suffered from excessive rainfall and unusually cool temperatures; and

**WHEREAS**, these conditions, in this agricultural area, have caused major damage to commercial vegetable production; and

**WHEREAS**, estimated losses in agricultural crops are as follows:

Commercial Vegetables 40% - 60%  
Estimated \$1 million in losses

**WHEREAS**, there is a critical need to assist the farmers as a result of the extreme weather conditions:

**NOW, THEREFORE, BE IT RESOLVED**, that the Middlesex County Board of Supervisors declared a state of emergency in Middlesex County on September 3, 1996;

**BE IT FURTHER RESOLVED**, the Honorable George F. Allen, Governor of the Commonwealth is petitioned by the Board of Supervisors to declare that an emergency exists in Middlesex County and the Governor is further petitioned to request the President of the United States or the Secretary of Agriculture to recognize the County's emergency situation and make the federal farmer emergency programs available to those who are eligible for this assistance in Middlesex County.

## **EASEMENT AGREEMENT**

The motion to approve an easement agreement across County property, for installation of a sewage system for the Middlesex Volunteer Rescue Squad, Deltaville, was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

### **SALVAGE AGREEMENT**

The motion authorizing the County Administrator to sign the salvage agreement between the County and Doc Jones was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously. It was noted that this was a non-exclusive agreement; any operator meeting the requirements of the agreement can participate.

### **DISPOSITION OF BODY**

Board members were advised that burial fees for an unclaimed body would have to be paid by the County. No action was taken on the matter at this time.

### **REQUEST TO WAIVE FEES**

The Board considered action on a request from the Mid-Tidewater Baptist Association to waive the building/zoning fee and part of cost for installation of a sign advertising their office, located under the County's General District Court sign. Mr. Culley informed the Board that he had requested \$35.00 for locating their new sign on our existing sign and poles. All Board members agreed that this was a reasonable request for the locating of their sign. No action was taken on the request to waive fees.

### **APPOINTMENTS**

Airport Committee - Mr. Jessie moved that Patrick Clifton be appointed to the Airport Committee as a representative of the Jamaica District, subject to the approval of the Committee.

Anniversary Committee -- It was recommended that the following persons be added to the list of those appointed to the Anniversary Committee: Bob Walker, Deltaville Improvement Association; Brendan O'Brien, Town of Urbanna; Barbara Cockrell, Betty Chowning, Cookie Fleet Esther Cooke, Jerry Bray, Mary Kaye Hight, Rev. Chauncey Mann and Ronnie Russell.

### **APPROPRIATION**

The motion to approve appropriation of \$10,008.29, the money received from the Department of Fire Programs for disbursement to the local fire department, was made by Mr. Williams, seconded by Mr. Jessie and carried unanimously.

### **BOB JENSEN**

Mr. Jensen presented his proposal to involve the County in a Public/Private Partnership for job training/day care at the old Woolfolk Manufacturing Plant and boat building at Mr. Jensen's property at the end of Route 615, West Urbanna Wharf. It is Mr. Jensen's desire that the County purchase the manufacturing facility for lease to him.

No action was taken on this matter. The Chairman requested that Mrs. Weber and Mr. Miller visit the area to establish suitability for such a project.

Mr. Jensen stated that he would leave and donate to the County, the big screen television used for his presentation to the Board.

### **TWICE PER YEAR TAX COLLECTION**

Mr. Crittenden reminded the Board that the current tax rate was predicated on twice/year collection, with some large cost items withheld from the budget and dependent on the one-time windfall predicted for the spring of 1997.

Mr. Culley presented three (3) scenarios with increased budget estimates for producing and collecting real estate taxes twice per year: no additional staff - \$16,850; additional part time employee - \$30,647; full time County employee - \$33,735. New construction assessment would take approximately five (5) months with outside help. Mr. Lewis was asked to proceed with obtaining costs and names of persons who may be interested in assessing the new construction.

Mr. Williams noted that a part time assessor could save the County money and create additional revenue and also commented that the expense of collection twice/year was overridden by the benefits.

The motion to adopt the ordinance for Twice per Year Collection was made by Mr. Williams, seconded by Mr. Miller and carried by a vote of four to one (Weber opposed).

AN ORDINANCE PERTAINING TO REAL ESTATE TAXATION  
INCLUDING TIME OF PAYMENT, PENALTY FOR  
DELINQUENT TAXES, INTEREST, TIME OF ENFORCEMENT, AND DUTY OF  
ASSESSMENTS AND COLLECTION OFFICIALS

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF MIDDLESEX COUNTY,  
VIRGINIA, THAT THE FOLLOWING ORDINANCE IS HEREBY ADOPTED:

REAL ESTATE TAXATION

Section 1. Time of Payment.

Annual real estate taxes assessed within the County shall be paid in semi-annual installments, one installment being due and payable on or before June 30 of the taxable year and the second or remaining installment shall be due and payable on or before December 5 of the taxable year.

Section 2. Penalty for Delinquent Taxes.

A penalty in the amount of ten (10) percent of any tax past due or for failure to pay the tax due on each of the two (2) installment dates shall be assessed and collected by the Treasurer of the County on each of the installment dates on the day after such taxes shall be due and payable; and such penalty, when so assessed shall become a part of the tax.

Section 3. Interest.

Interest at the rate of ten (10) percent per annum from the first day of the month following the installment dates on which such taxes are due and payable shall accrue and be collected upon the principal and penalties of such taxes remaining unpaid. The penalties and interest shall be collected and accounted for by the officers charged with the duty of collecting such taxes, along with the principal sum thereof.

Section 4. Time of Enforcement.

The payment and collection of such real estate taxes on a semiannual basis, including penalties and interest which may be due thereon, shall be effective for the taxable year beginning January 1, 1997, and all years thereafter.

Section 5. Duty of assessment and collection officials.

Nothing contained in this division shall relive the assessment and collection officials of said County from otherwise complying with all the provisions of Title 581 of the Code of Virginia of 1950, as amended.

## **NEW BUSINESS**

Enhanced 911- Mr. Williams questioned whether enhanced 911 systems were mandated by the year 2000.

Grey's Point Status - Deadline for completion of work is September 5.

IRS - Request has been sent to the IRS requesting reimbursement of interest paid on claim from 1991.

## **EXECUTIVE SESSION**

The motion to convene in Executive Session for consultation with legal counsel, per Code of Virginia Section 2.1-344.a7, was made by Mrs. Weber seconded by Mr. Miller and carried unanimously. Upon reconvening in open session, the following motion was made by Mr. Miller, seconded by Mr. Williams and carried unanimously:

- To the best of the member's 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 executive session.

## **ADJOURN**

There being no further business, the meeting was adjourned until September 17, 1996, at 7:30 P.M.

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Fred S. Crittenden, Chairman  
Board of Supervisors