

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS  
HELD ON TUESDAY, MAY 6, 1997, 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

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

**CALL TO ORDER**

The meeting was called to order at 9:00 a.m. by Chairman Crittenden, and opened with a prayer.

**MINUTES**

The draft minutes of the Board meetings of April 1 and April 15 were considered for approval. A correction was made to the April 1st minutes. The motion to approve the minutes as corrected was made by Mr. Miller, second by Mr. Williams and unanimously carried. Corrected copies of the minutes will be included in the Board minute book.

**DISBURSEMENTS**

The motion to approve disbursements for April was made by Mr. Williams, seconded by Mr. Miller and carried unanimously. Checks numbered 26486 through 26618 totaling \$142,476.58 were disbursed as approved.

**PAYROLL**

The motion to approve payroll for April was made by Mr. Miller, seconded by Mr. Williams and carried unanimously. Checks numbered 26405 through 26484 totaling \$105,408.63 were disbursed as approved.

**COMMITTEE REPORTS**

Mr. Williams:

- Planning District Commission -- working with Community Services Board on re-opening Eastern State Hospital for regional use by Comprehensive Services Act youth.

Mrs. Weber:

- Anniversary Committee -- additional members are needed.
- Social Services -- Volunteer luncheon held.
- Virginia Association of Counties -- General Government Committee meeting on May 9

Mr. Jessie:

- Jail Authority -- Department of Corrections has approved additional funding for regional jail construction

- Social Services -- food stamps will soon be issued by "credit" cards

Mr. Miller:

- Chamber of Commerce -- Bake and yard sale scheduled for May 10

Mr. Crittenden:

- Airport Committee -- will be working on discounts based on gallons of fuel purchased. Grass cutting -- additional \$50.00 to cut area behind terminal building.

### **CONSTITUTIONAL OFFICERS**

Commissioner: Real estate values have been checked with books sent to the Treasurer's Office on April 9.

### **VIRGINIA COOPERATIVE EXTENSION**

Mr. Moore reported that interviews for the 4-H Extension Agent would be conducted on May 19th. Mr. Moore invited the Chairman to appoint members of the Board to the interview panel. The panel would consist of six to eight people, including the Extension district administrator, a member of the community and Board members.

### **PLANNING DEPARTMENT GRANTS**

#### ***Chesapeake Bay Local Assistance Department:***

Mr. Wilson, Planning Director, advised the Board that the CBLAD grant for FY 98 did not receive funding. Of 44 applications, Middlesex ranked 32; 29 received funding. The Middle Peninsula Planning District Commission is attempting to coordinate a meeting among area legislators and CBLAD officials to obtain answers regarding lack of funding.

#### ***Virginia Coastal Resource Management Planning Grant:***

Preliminary review of the VCRMP grant indicated funding would be denied. The Planning District Commission has advised Mr. Wilson that the grant is now recommended for funding and final approval by NOAA. This grant was for \$19,500, with a local in kind match, no cash.

### **HANDS ACROSS MIDDLESEX**

Mr. Sid Stallings and Ms. Penny Lawson, representing the Hands Across Middlesex organization requested use of a portion of the cafeteria building at Old St. Clare Walker for storage of donated goods. This group serves County residents by donating clothing and household items in time of need. The Board informed the group that there would be no heat or air conditioning provided. The County has no intention of remodeling this building or spending significant funds for its maintenance or upkeep. At the time the County discontinues use of the building, the organization will be required to relocate. The motion to donate a secured portion of the building to the group, for as long as the County continues use of the building., was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

### **ENFORCEMENT UPDATE**

Eight (8) cases of junk car and refuse disposal violations are ready to be forwarded to the General District court for a June 2nd court date. The County

continues to work with persons in violation as long as a "good faith" effort towards compliance is made.

### **STREET NAMING**

The motion to approve the name "Turk's Ferry Road" for a private road off Route 629, was approved by motion of Mr. Miller, seconded by Mrs. Weber and carried unanimously.

### **VIRGINIA ASSOCIATION OF COUNTIES**

Larry Land, representing the Virginia Association of Counties, was present to update the Board on current and proposed VACo activities.

### **AIRPORT OPERATIONS**

Mr. Oscar Barber requested Board action on his previous request made to the Airport Committee to take over operations at Hummel Field. The motion to agree with the Airport Committee's recommendation that County operation of the Airport be studied for one (1) year prior to consideration of changing operators was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

### **OYSTER FESTIVAL**

Glen Pond and Andy Berry, co-chairman of the Festival Foundation, requested the Board consider adopting requirements and fees for those people setting up booths outside the Town of Urbanna limits during the Oyster Festival. Currently the Foundation collects a special fee charged by the Town for booths inside Town limits. According to Mr. Pond, groups outside Town limits have no oversight nor responsibility to comply with Festival and Health Department regulations.

No action was taken on the request. The County Attorney was instructed to research the legality of administration of a tax by a group other than the local government. It was noted that a public hearing would be required prior to adoption of the requested ordinance.

### **APPROPRIATION REQUEST**

#### ***Sewage Treatment:***

The request to appropriate \$23,700.00, from the general fund to cover costs of sewage treatment expense was made by Mr. Jessie, seconded by Mr. Miller and carried unanimously. Mr. Culley noted that only one quarter of sewage expenses had been budgeted because of planned "private" treatment facility construction for the Courthouse Complex.

#### ***Postage:***

The motion to approve the appropriation of \$5,000 to fund postage in the Treasurer's Office was made by Mr. Miller, seconded by Mr. Williams and carried unanimously. It was noted that this increase was due to the expense of the mailing of the June billing of real estate taxes.

### **FARMER'S MARKET**

Construction of the Farmer's Market was complete. Signs are being designed and will be ordered for the site.

## **VIRGINIA PENINSULAS PUBLIC SERVICE AUTHORITY**

### ***Hartfield Convenience Center:***

Board members discussed a proposal submitted for adding an additional compaction unit at the Hartfield Convenience Center, total estimated cost for the unit, \$24,419. It was noted that the price of the compactor was good until June 30th, based on a contracted price, and would increase substantially if ordered after that date. According to Steve Geissler, VPPSA Executive Director, the one unit currently at the site can handle the additional seasonal volume, however, users would be more inconvenienced by having to wait in longer lines. The motion to approve purchasing the additional unit was made by Mr. Williams, seconded by Mr. Miller and carried unanimously. A traffic flow pattern would be designed for the site to improve access.

### ***Maintenance Building:***

Mr. Geissler requested the Board's consideration to lease the County's Landfill maintenance building to VPPSA for a period of five (5) years at \$120/month. The County will retain access to the building that it currently has. In addition, VPPSA would handle removal of the existing diesel fuel tank and transfer the utilities from the County's accounts. Any existing County equipment on site would be maintained. VPPSA would also perform routine maintenance on the County's tractors. The County Attorney had reviewed the lease and recommended a change which had been made. The motion to approve a five year lease commencing May 1 was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

## **ANIMAL CONTROL FACILITIES**

Marcia Jones, Assistant Administrator, reviewed the report received from the Department of Agriculture after their inspection of the County's animal control facility. According to Mrs. Jones, there were some improvements that could be made, however, there were also some that could only be accomplished by a new building.

## **HEALTH DEPARTMENT LEASE**

Dr. Winter has requested that the cost of the additional air conditioning unit be added into the monthly rental payment, increasing the payment from \$5.00, per square foot, plus consumer price increase (c.p.i.), to \$5.22, a c.p.i. on the \$5.00, for a five (5) year period. The Board, being in consensus, requested Mr. Soberick to revise the lease for approval at the Board's next meeting.

## **WATER FACILITIES UPDATE -- DELTAVILLE**

The motion to proceed with the next phase of the water facilities for Deltaville, conducting a preliminary engineering study, was made by Mr. Williams, seconded by Mr. Miller and carried unanimously. This study was required for submittal to all lending and grant agencies. Local money spent for the study can be recouped from, and revenue bonds used, to fund the project.

## **BOARD OF ZONING APPEALS APPOINTMENT**

Motion to recommend to the circuit court the appointment of Raymond Moss to the Board of Zoning Appeals was made by Mr. Miller, seconded by Mrs. Weber and carried unanimously.

## **SCHOOL MATTERS**

No action was taken by the Board to appropriate the School operations fund, capital project fund or textbook fund. Board members discussed requesting written

acknowledgment from the School Board that capital project funds would be spent in accordance with the motion made when Supervisors adopted the County's general government budget on April 1. Mr. Culley was asked to make this request known to the School Board.

### **OLD BUSINESS**

Board members discussed action taken on at their April 15th meeting on Amendment Application AM-97-002, to add "racetrack" as a permitted use in the Low Density Rural zone. Board members noted that they had received complaints about their action, however, many did not realize the generality of the application. Repairs and renovations can be made to the existing site, however, no expansion or relocation can be approved to the non-conforming status of the use.

### **NEW BUSINESS**

Mr. Jessie commented that he had received inquiries from someone interested in possibly purchasing the site formerly known as Oliver's Restaurant, on Route 17 North. This site contains an illegal tire dump. Mr. Jessie requested assistance to see if funds were available from the State for its clean-up.

### **EXECUTIVE SESSION**

The motion to convene in executive session to discuss matters relating to personnel, per Code of Virginia, Section 2.1-344.a1 and for consultation with legal counsel pertaining to the roof of the St. Clare Walker Middle School, Code Section 2.1-344.a7, was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

Upon reconvening in open session, the following motion was made by Mr. Miller 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.

### **SCHOOL MATTERS**

Michael Willis, Interim Superintendent, was present and received an explanation of the previous discussion by the Board relating to School budget appropriations. Mr. Willis requested the Board's appropriation of the School's general budget, to allow the letting of contracts for next year's teachers. The motion to appropriate the School operations and textbook funds was made by Mr. Williams, seconded by Mr. Miller and carried unanimously. Mr. Willis indicated he would take the Board's request regarding the capital improvement budget to the School Board.

## **1997-98 MIDDLESEX SCHOOL BUDGET**

### **APPROPRIATION RESOLUTION**

**WHEREAS**, the Middlesex County Board of Supervisors has heretofore received a budget from the Middlesex County School Board; and

**WHEREAS**, the Middlesex County Board of Supervisors has held a public hearing for the School Board's Budget for fiscal year 1997-98; and

**WHEREAS**, the Middlesex County Board of Supervisors has included funds in the County General Fund for School Operations Fund in the amount of \$4,248,676.00, and in the School's Capital Project Fund in the amount of \$160,000.00, and in the School's Textbook Fund of \$41,368.00, and

**WHEREAS**, the Middlesex County School Board has adopted a General School Fund Budget for the fiscal year 1997, and

**NOW, THEREFORE, BE IT RESOLVED** that the Middlesex County Board of Supervisors hereby appropriates to the following categories the Middlesex County General School Fund Budget:

<i>Instruction</i>	<i>\$5,941,013.20</i>
<i>Administration, Attendance &amp; Health</i>	<i>\$379,966.05</i>
<i>Pupil Transportation</i>	<i>\$434,631.41</i>
<i>Operation &amp; Maintenance</i>	<i>\$684,337.69</i>
<i>Debt Service</i>	<i>\$681,257.50</i>
<i>Total School General Fund</i>	<i>\$8,121,205.85</i>

**BE IT FURTHER RESOLVED THAT** the Middlesex County Board of Supervisors hereby appropriates to the School Food Fund and the School Textbook Fund the following amounts:

<i>School Food Fund</i>	<i>\$376,684.46</i>
<i>Textbook Fund</i>	<i>\$72,780.38</i>

**ADJOURN**

There being no further business, the motion to adjourn the meeting until May 20, 1997, at 7:30 P.M., was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

\_\_\_\_\_  
Fred S. Crittenden, Chairman  
Board of Supervisors