

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, APRIL 7, 1998, 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

Mr. Crittenden called the meeting to order at 9:00 A.M., and opened with a prayer.

WETLANDS BOARD

Mr. Sherman Holmes, Chairman of the Wetlands Board, requested the Board consider allowing Wetlands Board members to use a County vehicle for wetlands site visits. The motion approving use of a County vehicle for this purpose and noting that wetlands board members would be added to the list of County drivers for insurance purposes, was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

MINUTES

The minutes of the March 2nd, 3rd, 17th, and 24th meetings of the Board were reviewed and a motion for their approval was made by Mr. Williams, seconded by Mr. Miller and carried unanimously. The motion to send a letter to Senator Bolling, apologizing for not attending a March 24th meeting in Urbanna at which he was guest speaker, was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously. Senator Bolling's meeting conflicted with the Board's public hearing on the school and county budgets.

DISBURSEMENTS

The motion to approve disbursements for March, dated April 7, was made by Mr. Miller, seconded by Mr. Williams and carried unanimously. Checks numbered 29066 through 29210 totaling \$302,063.99 were disbursed as approved.

PAYROLL

The motion to approve payroll for the month of March was made by Mr. Williams, seconded by Mr. Miller and carried unanimously. Checks numbered 28976 through 29064 totaling \$110,936.21 were disbursed as approved.

COMMITTEE REPORTS

Mr. Williams

- Planning District Commission -- attended March 25th meeting; Economic Development Partnership and Tourism Board looking for ways to increase tax base.

Mrs. Weber:

- Anniversary Committee – invitations being mailed for May 9 at Rosegill.

- Library Board – continues to request budget increase of 5%.
- Museum – new members have been appointed to the Museum Board; working on membership drive and fund raising and work with the school system.

Mr. Jessie:

- Jail Authority – Middlesex will receive a 25% reduction in its quarterly bill due to cost savings at the jail. A payment to Hardees questioned at last months meeting was to pay for food purchased during the past quarter to feed road crews working at sites out of Middlesex.

Mr. Miller: no report

Mr. Crittenden:

- Airport Committee – representatives from Lancaster County were present at the last meeting and voiced their endorsement of Hummel Field.

CONSTITUTIONAL OFFICERS

Treasurer:

- Balance Sheet – the balance sheet as of April 6, 1998, was presented to the Board.

Sheriff:

- Decals – Sheriff Dandridge was asked to prepare a report that would show the number of vehicles checked for decals and the number of citations issued.
- Fuel – The Sheriff was asked to check errors on fuel report provided by his office.
- Piankatank Shores Homeowner's Assoc. – Sheriff Dandridge was asked to respond to the letter from the Homeowner's Assoc., with copies to the Board of Supervisors.

Commissioner of Revenue:

- Tax Bills – updates are being completed for tax books and tax bills to be run for distribution by the Treasurer.

HIGHWAY MATTERS

- Route 33 & 227 -- completion of traffic light installation at this intersection should be completed within the next 45 days.
- Route 33, Dragon Bridge – the Dragon Bridge was struck and is being repaired.
- Route 33 & 3 Intersection, Hartfield – signs had been scheduled for placement to aid in traffic control.
- Routes 633/632 – The motion endorsing a request for reduced speed limit signs presented from citizens along this road was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.
- Wake Post Office – Mr. Williams requested assistance regarding pine trees obstructing the view of drivers.

- Route 33 & 3 Intersection, Harmony Village – no success regarding acceleration lane from Route 3.

The primary road allocation hearing is to be held in Montross on April 9th. Mrs. Weber and Mr. Culley will be attending and pleading the County's request for assistance at both intersections of Route 3 & 33.

Mr. James Price, Maintenance Supervisor, updated the Board regarding the Adopt a Highway program and the current use of "volunteer" labor from the jail.

SCHOOL MATTERS

Capital Improvement Budget:

A three- (3) phase program is being proposed, costing 10-12 million dollars, which includes improvements at each school. Mr. Lackey, Superintendent, noted his hope that the State would include some money in their budgets for construction projects.

Drug/Alcohol Task Force:

Members were encouraged to participate with the School's Drug/Alcohol Task Force, which is in the process of identifying issues and planning a strategy for corrective issues.

St. Clare Walker:

The Sheriff was thanked for continued assistance from his department with traffic control at St. Clare Walker.

Rappahannock Central Elementary – Septic:

Mr. Lackey requested use of some of the money saved from using inmate labor for repairs to purchase and install a pump for pumping to the second drainfield at Rappahannock Central. The Board expressed general approval for this expenditure of approximately \$2,500.

Wilton Elementary:

Wiring for additional computers, increasing from 6 to 12 units, will be performed at Wilton during the spring break.

FACILITIES ENDORSEMENT – FISHING BAY ESTATES

The motion to endorse the proposed renovation of Fishing Bay Estates, a low-income housing facility in Deltaville, was made by Mr. Williams, seconded by Mr. Miller and carried unanimously. This endorsement will allow the developers to apply for federal tax credits.

REQUEST TO WAIVE FEES

The motion to waive the fees for the Roberts Brothers Circus, sponsored by the Kiwanis Club of Middlesex, was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously. Permits must be obtained from the building department for the raising of the tent area.

APPROPRIATION REQUEST

Department of Social Services:

Mr. Culley informed the County of Mrs. Fitchett's request to transfer \$27,772.18 from various line items to the compensation line item of her budget. This would be an internal budget revision request, not requiring the Board's approval.

Mrs. Fitchett also requested an additional appropriation of \$19,333.65 to various line items, of which it is anticipated that approximately \$16,986.92 will be reimbursed by the State. Mrs. Weber, seconded by Mr. Miller made the motion approving the appropriation. The motion carried by a vote of four to one (4-1), Crittenden opposed.

Comprehensive Services:

The motion to approve an appropriation of \$5,900.00 for cases reviewed and approved at the April CPMT meeting was made by Mr. Miller, seconded by Mr. Jessie and carried by vote of four to one (4-1), Williams opposed. Mr. Culley advised the Board that the CPMT is looking into less expensive methods of providing service, including regional or local programs which could be run from mobile classroom spaces at the schools.

Dept. of Criminal Justice Services:

The motion approving the appropriation of \$2,863.00, received from Department of Criminal Justice Services, Grant Number 98-A1158L096, for communications equipment, was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

Forfeited Asset Sharing Program:

The motion approving the appropriation of \$3,991.20, received from the State's forfeited asset sharing program was made by Mr. Williams seconded by Mr. Miller and carried unanimously. This money will be placed into a separate account that the Treasurer can write checks from. The auditors will monitor the account.

NATIONAL ASSOCIATION OF COUNTIES

The motion to approve the payment of \$300.00 toward the National Association of Counties Telecommunications Defense Fund was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously.

SPORTS COMPLEX AGREEMENT

The motion to approve the following revised agreement for maintenance of the sports complex was made by Mr. Jessie, seconded by Mr. Miller and carried unanimously.

WITNESSETH:

WHEREAS, the County is the owner of certain property located in Middlesex County, Virginia, adjacent to the St. Clare Walker Middle School, upon which is located the Middlesex County Sports Complex (Sports Complex), and

WHEREAS, funding for the Sports Complex was in part provided by a grant from the Commonwealth of Virginia which requires that the facility remain open for public use, and

WHEREAS, the Committee was largely responsible for the successful development and construction of the Sports Complex, and

WHEREAS, the County and the Committee wish to reach an agreement with regard to future operation and management of the sports complex.

NOW, THEREFORE, in consideration of the foregoing it is agreed as follows:

1. The sports complex facility shall continue to remain the property of the County, but shall be operated by the Committee.

2. The Committee shall be reorganized into a five (5) member group consisting of the following organizations, with the noted representation and titles of office:

Board of Supervisors	Frank Jessie
Little League	Bill Pfeltz, Secretary
Soccer	Joe Heyman, Vice President
Citizen Appointment	Lee Weber, Treasurer
Citizen Appointment	John Fleet, Jr., Chairman

The Committee shall begin with five members and have a limit of 9 members. A school system contact may be added to the total of 9 members.

3. As part of the operation, the Committee shall be responsible for the day to day operations of the facility, including the scheduling of all activities and the payment of all expenses associated with the facility, except grass cutting, electricity, trash removal and major maintenance which shall include repairs in an amount greater than Two Hundred Fifty Dollars (\$250.00).
4. The County agrees that it will at all times provide and maintain liability insurance at the Sports Complex and shall name the Sports Complex committee and its members as additional insureds on all such policies.
5. Effective with the date of this agreement, the Committee agrees that it shall work closely to coordinate the County sponsored activities as well as other activities not directly associated with County sponsorship. In addition to the sports facility complex, the Committee shall be responsible for the operation of the concession stand. Any persons or organizations wishing to use the sports facility shall arrange for its use through the Committee.
6. The Committee agrees to provide the County with a copy of its annual operating budget upon adoption and to make available for inspection by the County all of its financial records at any time upon requests of the County.
7. It is agreed between the County and the Committee that the Committee is a separate and independent body totally apart from the County government and it is in no way to be perceived as an entity or agency of the County of Middlesex or its governing body.
8. Subject to annual county appropriation, it is anticipated that the County will provide annual financial contributions to the Committee to assist with its operation and management.
9. It is agreed by the County and the Committee that the sports complex facility shall be open to the public for lawful purposes and no person, entity or organization shall be denied access to the facility on the basis of race, color, creed, gender, religion, or age. All users shall be required to follow any facility use guidelines without exception.
10. Annual renewal of the agreement is required on or before the 15th of January of each year.
11. Either party may terminate this agreement by giving the other ninety- (90) days prior written notice.

TEEN CENTER

The Board considered a proposal submitted by Walden's Construction Company for improvements to a room off from the gymnasium at the old St. Clare Walker School to be used as a teen room. The motion to appropriate \$5,700.61 for this work was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

APPOINTMENTS

The motion to recommend reappointment of Gene Major for a five year term on the Board of Zoning Appeals was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously. Mr. Major's current term will expire on April 30, 1998. No action was taken to fill the unseated term previously held by Ray Moss.

Board members were asked to consider appointments for other positions whose terms were due to expire.

LOCKLIES CREEK DOCK

The Board considered the following two (2) bids received for replacement of the dock at Locklies Creek: L & M Marine Contractors -- \$8,344.00; R & W Construction -- \$8,840.00. Because of the urgent need to have the work completed and the closeness of the bids, both companies had been asked to provide certificates of insurance and written notice of when they could begin work. It was noted that L & M Marine Contractors, the low bidder, did not currently have insurance in place and work could begin within two (2) weeks. R & W Construction could begin immediately upon award and had insurance coverage in place. The motion to award the contract to R & W Construction was made by Mr. Williams, seconded by Mr. Jessie and carried unanimously.

ST. CLARE WALKER RENOVATION -- TESTING AND BALANCING

Board members considered the bids received from several companies for testing and balancing the heating and air conditioning equipment being installed at the St. Clare Walker renovation project. This work had been included in the original specifications for the project, but had been removed from the specifications used for the final, accepted bid.

The two (2) bids for this service were received from: HVAC Balancing & Commissioning -- \$5,900.00; Technical Engineering Services -- \$6,450.00. The motion to award the contract for this service to HVAC Balancing & Commissioning, appropriating this money to the St. Clare Walker Renovation project, was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

FLEET FUELING & UNDERGROUND STORAGE TANKS

Tank Removal:

Mr. Culley updated the Board on the status of underground fuel tank removal in progress by Jones Contracting. David Jones, the contractor, has reported that contamination has been experienced at all sites he has been to so far.

Underground Storage Tank Installation:

The Board considered the following responses received for installation of an underground gas and diesel tank at the old St. Clare Walker School:

COMPANY	BASE BID	ALTERNATE BID
Mid-Coast, Inc.	58,588.12	53,332.76
Rickmond Environmental	67,250.00	64,860.00
Battle Oil Co.	72,227.00	68,954.00
Advanced Fueling Systems	74,618.23	68,787.43
Hanover Equipment Services	81,114.00	74,614.00
J. Fenley Co., Inc.	81,167.00	74,440.00
Tyree Organization	85,500.00	83,500.00

The motion to not install an underground storage tank on County property was made by Mrs. Weber, seconded by Mr. Williams and carried unanimously.

Fleet Fueling:

Bids received for the fleet fueling of County vehicles were considered. Those received are listed below:

COMPANY	COST ABOVE DEALER	COST BELOW RETAIL
Thrift Oil Co.		Exxon Rebate + 2 cents
Neighborhood Convenience Inc.		Exxon Rebate + 5 cents
Robins' Texaco	2.5 cents	

The Exxon Rebate varies from 1% to 3% depending on the level of purchase and shows on the billing directly from Exxon. The additional rebate is paid quarterly, upon submittal of the County's invoice for total gallons purchased, by the individual companies.

The specifications required companies to provide a price to the County for regular gasoline, premium gasoline, and diesel fuel based on their dealer cost. Robins' Texaco was the only company that submitted their bid in the manner requested.

The motion to award the bid to Robins' Texaco as the lowest responsible bid submitted, was made by Mr. Miller and seconded by Mr. Jessie. There was discussion and confirmation that the Texaco fleet cards would be available for out of county use. The motion carried unanimously.

BUDGET

The School budget should be appropriated in May, after the School Board has adopted their budget.

General Fund Budget:

Mr. Jessie made the following motion: "I move to adopt the 1998-99 General Fund Budget of \$ 9,586,216.00, which includes the School Operations Fund in the amount of \$4,418,623.00, the School's Capital Project Fund in the amount of \$142,500.00, and in the School's Textbook Fund of \$51,662.00, and further, the \$142,500.00 shall be divided as follows: \$133,000.00 for three (3) new buses, and \$9,500.00 for general maintenance." This motion was seconded by Mr. Williams and carried unanimously.

Tax Rates:

The motion to set the following tax rates for 1998-99, was made by Mr. Jessie, seconded by Mr. Williams and carried unanimously:

Real Estate	\$0.52
Personal Property	\$3.50
Mobile Home	\$0.52
Machinery & Tools	\$3.50
Merchants Capital	\$1.25

Appropriation Resolution:

The motion to adopt the following 1998-99 Appropriation Resolution, which includes the appropriation of General Fund, totaling \$9,586,216.00, was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously:

1998-99 MIDDLESEX COUNTY BUDGET APPROPRIATION RESOLUTION

WHEREAS, the Middlesex County Board of Supervisors has heretofore prepared a Budget for information and fiscal planning purposes only; and

WHEREAS, it is now necessary to appropriate sufficient funds for the contemplated expenditures as are contained in the Budget;

NOW, THEREFORE BE IT RESOLVED, by the Middlesex County Board of Supervisors that the Budget for 1998-99 be approved and appropriations for the General Fund be made as follows:

COUNTY GENERAL FUND APPROPRIATIONS

FY 98-99 Budget

10010	Total Capital Outlay	112,977.00
10020	Total County Airport	95,205.00
11010	Total Board Of Supervisors	64,472.00
12010	Total County Administrator	157,132.00
12040	Total Legal Services	38,000.00
12080	Total Independent Auditor	18,000.00
12090	Total Commissioner of Revenue	169,577.00
12100	Total Assessor	75,000.00
12130	Total Treasurer	159,699.00
12190	Total Insurance/Risk Management	97,000.00
12200	Total Data Processing	65,200.00
13010	Total Electoral Board	20,304.00
13020	Total Registrar	36,737.00
21010	Total Circuit Court	16,351.00
21020	Total General District Court	11,710.00
21030	Total Juv&Dom Rel Ct Services Unit	12,271.00
21040	Total Magistrate	7,075.00
21050	Total Merrimac Center	26,544.00
21060	Total Circuit Court Clerk	57,031.00
21100	Total Juvenile Court	10,600.00
22010	Total Commonwealth's Attorney	72,226.00
31020	Total Sheriff	547,490.00
31030	Total Town Police	34,060.00
31040	Total Drug Investigator	38,574.00
31050	Total Cops Deputy	0
31060	Total School Officer	0
32010	Total Volunteer Fire Departments	115,076.00
32030	Total Rescue Squads	74,916.00
32040	Total EMS Training	5,000.00
33010	Total Regional Jail	249,043.00
34010	Total Building Inspector	108,520.00
35010	Total Animal Control	30,266.00
35030	Total Medical Examiner	250.00
36050	Total Emergency Services	10,100.00
42020	Total Street & Road Cleaning	1,500.00
42030	Total Convenience Centers	79,426.00
42060	Total Refuse Disposal	10,000.00
42070	Total VPPSA	621,614.00
43020	Total General Properties	207,181.00
43040	Total Holly Point	2,500.00
43050	Total Canoe House Landing	200.00
51010	Total Health	129,031.00
51050	Total Hospitals	200.00
52010	Total Mental Health	22,320.00
53010	Total Welfare	632,359.00
53050	Total Chesapeake Bay Agency On Aging	5,000.00
53060	Total Disabilities Services Board	2,000.00
53090	Total Virginia Housing Development	810.00
53100	Total Vocational Rehab. Centers	4,543.00
53120	Total Gloucester-Mathews Humane	3,000.00
53150	Total Comprehensive Services	375,000.00

60000	Total Education	4,077.00
63200	Total VA School League Activities	3,000.00
71010	Total Parks & Recreation	38,042.00
71040	Total Sports Complex	10,800.00
72020	Total Museum	1,000.00
72090	Total Welcome Center	500.00
73020	Total Regional Library	62,172.00
81010	Total Planning	74,413.00
81040	Total Zoning Administration	44,718.00
81050	Total Industrial Development Authority	25,000.00
81060	Total Board of Zoning Appeals	6,100.00
81070	Total Anniversary Committee	0
82030	Total Soil & Water Conservation	1,950.00
82040	Total Environmental Enforcement/Wetlands	37,177.00
82050	Total Forestry Service	2,492.00
82070	Total Litter Control	0
83030	Total Cooperative Extension Service	28,900.00
99010-23	Transfer to School Fund	4,418,623.00
		0
99010-41	Transfer to Capital Projects	0
99010-42	Transfer to School Capital Projects	142,500.00
99010-43	Transfer to Textbook Fund	51,662.00
	TOTAL GENERAL FUND APPROPRIATION	\$9,586,216.00

1. All appropriations are declared to be maximum, conditional and proportionate appropriations.

This makes the appropriations payable in full in the amounts named herein, if the aggregate revenues collected and other resources available during the year ending June 30, 1999, for which the appropriations are made, are sufficient to pay all of the appropriations in full; otherwise, the said appropriations shall be deemed to be payable in such proportion as the sum of all realized revenue is to the total amount of the revenues estimated by the Board of Supervisors to be available for appropriation in the year ending June 30, 1999.

2. No department, agency, or individual receiving appropriations under the provisions of this resolution shall exceed the line item approved for that department, agency, or individual by the Middlesex County Board of Supervisors;
3. It is expressly provided that this resolution, with exception to the expenditures of the funds appropriated, shall apply to the lump sum amounts which have been included in this resolution;
4. The Board of Supervisors reserves the right to change at any time during the fiscal year ending June 30, 1999, compensation provided to any officer or employee and to abolish any office or position, exception such office or position as it may be prohibited by law from abolishing;
5. No appropriation for the purchase of machinery, equipment, or motor vehicles (Capital Outlay items) have been made. Items in the Budget as Capital Outlay (items listed as account numbers 70010, 70020, 70030, 70040, 70050, 70060) not exceeding \$2,500.00 per line item, may be approved by justifying said items to the County Administrator on an as-needed basis. A purchase order will be issued and must be signed by the County Administrator or his designee; any and all requests for items exceeding \$2,500.00 must be justified and approved by the Board of Supervisors.

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 1998-99; and

WHEREAS, the Middlesex County Board of Supervisors has included funds in the County General Fund for School Operations Fund in the amount of \$4,418,623.00, and in the School's Capital Project Fund in the amount of \$142,500.00, and in the School's Textbook Fund of \$51,662.00, and

WHEREAS, the Middlesex County Board of Supervisors will await the School Board's revised Budget using the above listed amounts for approval at the May 5, 1998 Board of Supervisor's Meeting.

SUMMARY OF APPROPRIATIONS

General Fund	!The Formula Not In Table
TOTAL APPROPRIATIONS	!The Formula Not In Table

LANCASTER COUNTY - GRANT ENDORSEMENT

No action was taken on a request for endorsement of a grant request being submitted by Lancaster County to the Virginia Marine Resources Commission for the construction of a public fishing pier at Windmill Point.

VIRGINIA EMPLOYMENT COMMISSION

The motion authorizing the County Administrator to review and sign the VEC Plan of Service agreement for 1998 was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

VIRGINIA JUVENILE JUSTICE PROGRAM

The motion endorsing a continuing grant request for funding toward the juvenile group home and adopting the following resolution was made by Mr. Williams, seconded by Mr. Miller and carried unanimously was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

RESOLUTION

WHEREAS, the General Assembly of the Commonwealth of Virginia adopted the Virginia Crime Control Act during the 1995 Legislative Session; and

WHEREAS, the purpose of the Act is to establish balanced, community based systems of sanctions, programs, and services for juvenile offenders; and

WHEREAS, in order to receive funds allocated to the County of Middlesex by this Act, a local plan detailing sanctions, programs, and services to be provided is required;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Middlesex County does hereby approve the submission of the County of Middlesex Local Plan and further authorizes the County Administrator to submit amendments or adjustments to the Plan as may be required to serve the best interest of Middlesex citizens and its local Juvenile Justice System and as needed to the Commonwealth of Virginia for this purpose.

OLD BUSINESS

Mr. Culley was requested to schedule a meeting with Bill Pruitt of the Virginia Marine Resources Commission regarding a dilapidated waterfront structure.

EXECUTIVE SESSION

The motion to convene in Executive Session for consultation with legal counsel, per Code of Virginia, Section 2.1-344.a7, to discuss the airport and junk car cases and personnel, per Section 2.1-344.a1, was made by Mr. Williams, seconded by Mr. Miller 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.

ADJOURN

There being no further business, the meeting was adjourned until April 21, 1998, at 7:30 P.M.

Fred S. Crittenden, Chairman
Board of Supervisors