

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, JULY 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.

INTRODUCTIONS

Marcia Jones, Assistant Administrator, introduced Thomas Jordan. Mr. Jordan began work on June 22, 1998, in the position of Planner/Deputy Zoning Administrator.

Mr. Crittenden noted that Don Richwine, newly elected council member, was present, representing the Town of Urbanna.

MINUTES

The minutes of the June 2nd and June 16th meetings of the Board were reviewed. One typographical correction was made to the June 2nd minutes and a motion for their approval was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously.

DISBURSEMENTS

There was much discussion regarding a charge from United Computer Solutions for installation of software required by the State for Sheriff's Department incident based reporting. As explained by Mr. Culley, Sheriff Jones had obtained a grant from the Department of Criminal Justice Services to fund this project, which included software and hardware. Sheriff Jones ordered and paid for software from another company, however, the software would not function and the system could not be certified by the State. The Department of Criminal Justice Services is investigating the purchases made under the grant.

The bill from United System Solutions includes payment for installation of software and training. This system has received certification from the State. Monies for the additional expense have been pooled from various line items within the Sheriff's budget, not including compensation. Board members expressed their displeasure of not being advised of the additional expenditure in advance.

The motion to approve disbursements for June, dated June 30th, was made by Mr. Miller, seconded by Mrs. Weber and carried unanimously. Checks numbered 29859 through 29916 totaling \$134,330.09 were disbursed as approved.

PAYROLL

The motion to approve payroll for the month of June was made by Mr. Williams, seconded by Mr. Miller and carried unanimously. Checks numbered 29770 through 29858 totaling \$108,037.81 were disbursed as approved.

COMMITTEE REPORTS

Mr. Williams

- Planning District Commission – discussion continued regarding the on-site wastewater revolving loan fund. There were reports from the nominating committee and adoption of the PDC budget for FY 99.

Mrs. Weber:

- Anniversary Committee – committee will work on distribution of flags; next project will possibly be the investigation and documentation of cemeteries in the County.
- Social Services Department – the State has mandated that a fraud investigator be employed by localities; Kathryn Fitchett is in contact with surrounding localities discussing the feasibility of sharing this employee.
- Emergency Services Meeting – met with representatives of local, state and volunteer agencies in the County to discuss emergency preparedness. Also, met with the newly formed emergency communications group. This group will continue meeting monthly to address issues of radio communication, E-911 system and dispatch.
- Comprehensive Services – expenditures with the current caseload and treatments are projected at \$316,500.

Mr. Jessie:

- Jail Authority – projecting completion of new facility in October. Sheriff's are now included as Authority members.

Mr. Miller:

- Chamber of Commerce – Open house scheduled for July 23.

Mr. Crittenden:

- Airport Committee – there were no recommendations for appointments at this time. The Experimental Aviation Association will be conducting its Young Eagles program on July 11 at Hummel Field.

CONSTITUTIONAL OFFICERS

Commissioner of Revenue: no report

Treasurer:

- Delinquent Tax Letters – Mrs. Wilson presented the Board with a copy of a letter she is sending to each delinquent tax-payer. Approximately 91% of the real estate taxes due June 5 have been collected.

Sheriff:

- Drug Dog – Board members had received written information from the Sheriff regarding Thor, the sheriff's department drug dog. Several alternatives for disposition of the dog were discussed; there was no opposition to a citizen having the dog, however, in any case, a waiver releasing the County from all liability associated with the dog was to be prepared and signed by whoever obtains the dog. The motion for the Sheriff and Mr. Culley to work out the details of the disposition was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

- Software – Mr. Crittenden advised the Sheriff that the Board would like to be informed of future major expenditures and procurements and expenditures, even if bidding is not required.
- CPR training – Regarding a question of CPR certification, Sheriff Dandridge noted that deputies are trained in CPR when they go through their basic school and re-certification is offered.

HIGHWAY MATTERS

3/33 Intersection (Harmony Village): Engineers and design experts are continuing to study this intersection.

Jackson Creek Dock: Mr. Woodward has recommended County take-over of this facility to the State VDOT office and it is being considered.

Farmer's Market: Mr. Jessie requested trimming of trees approaching the site from the east to allow better visibility. In addition, Board members requested allowing vehicles to use the current exit from the commuter lot as an entrance also. Mr. Woodward committed to looking at the signage to improve visibility and accessibility, but to also maintain safety. It was noted that the current entrance to the facility is a two-way road.

Whiting Creek Drive: The motion to adopt the following resolution, regarding a request from the Whiting Creek Homeowner's Association for inclusion of Whiting Creek Drive in the State's secondary system, was made by Mr. Miller, seconded by Mrs. Weber and carried unanimously.

RESOLUTION

WHEREAS, the Whiting Creek Property Owner's Association has recorded a deed at Deed Book 280, Page 285, deeding a portion of Whiting Creek Drive, in Whiting Creek Subdivision to the County of Middlesex; and

WHEREAS, the street described in the deed reference above and on the attached Additions Form SR-5(A), fully incorporated herein by reference, is shown on plats recorded at Plat Book 10, Pages 175, 176 and 177, in the Clerk's Office of the Circuit Court of Middlesex County, Virginia, and

WHEREAS, the Virginia Department of Transportation has advised this Board that the street meets the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Middlesex County does hereby request the Virginia Department of Transportation to add the street described on the attached Additions Form SR-5(A) to the secondary system of state highways, pursuant to §33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and;

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

SCHOOL MATTERS

Fuel Facility – Nancy Jackson, Chairman, and David Thomas, Transportation Supervisor, were present to request the Board's approval of the area marked for the proposed bus fueling facility. Several options for leasing are being proposed, from 1 to 3 years; the vendor would be responsible for liability associated with any tank leakage.

There was a consensus of support for the proposed location. Mrs. Jackson was requested to have the final agreements brought to the Board and County Attorney for review.

SOCIAL SERVICES

Mary Armentrout and Mildred House, from the local Department of Social Services, were present to discuss results of the Virginia Initiative for Employment Not Welfare (VIEW) program.

COMMUNITY SERVICES BOARD

Mr. Lee Savidge, representative and Mr. Gerald Desrosiers, Executive Director, of the Middle Peninsula – Northern Neck Community Services Board were present to request the Board's approval regarding the operation of the CSB and approval of the performance contract between the State and CSB. The motion to adopt the following resolutions was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

RESOLUTION

DESIGNATION OF MIDDLE PENINSULA – NORTHERN NECK CSB AS AN OPERATING COMMUNITY SERVICES BOARD

WHEREAS, §37.1–194 of the *Code of Virginia* (1950) as amended, each city and county to establish, singly or in combination, a community services board for the provision of mental health, mental retardation, and substance abuse services to its residents; and

WHEREAS, Middlesex County already has established the Middle Peninsula – Northern Neck Community Services Board pursuant to this statutory provision; and

WHEREAS, §37.1–194 of the *Code of Virginia* (1950) as amended, further requires each city and county to designate, in consultation with its community services board, this board as an operating community services board, an administrative policy community services board, or a policy-advisory community services board with a local government department; and

WHEREAS, the Middle Peninsula – Northern Neck Community Services Board provides mental health, mental retardation, and substance abuse services, directly through its own staff or through contracts with other providers; and

WHEREAS, the Middle Peninsula – Northern Neck Community Services Board conforms to the definition of an operating community services board that is contained in §37.1–194.1 of the *Code of Virginia* (1950) as amended;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Middlesex County, Virginia, that the Middle Peninsula-Northern Neck Community Services Board is hereby designated as an operating community services board with the powers and duties enumerated in §37.1–197.A and §37.1–197.1 of the *Code of Virginia* (1950) as amended.

RESOLUTION APPROVAL OF PERFORMANCE CONTRACT

WHEREAS, §37.1–198 of the *Code of Virginia* (1950) as amended, requires each Community Services Board to submit to the governing body of each political subdivision that established it an annual performance contract for community mental health, mental retardation and substance abuse services for its approval prior to submission of the contract to the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services, and

WHEREAS, implementation of the *Code* amendment, in 1998, allows for the submission of the Fiscal Year 1998-1999 Performance Contract to take place prior to approval by the governing body of each political subdivision, and allows for approval to be made by each political subdivision by September 15, 1998, and

WHEREAS, the Middle Peninsula – Northern Neck Community Services Board has put forward its proposed Performance Contract for Fiscal Year 1998-1999, as submitted to the Department of Mental Health, Mental Retardation and Substance Abuse Services, for approval by the Boards of Supervisors of its governing counties of Essex, Gloucester, King and Queen, King William, Lancaster, Mathews, Middlesex, Northumberland, Richmond, and Westmoreland;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Middlesex County, Virginia, that the Performance Contract prepared by the Middle Peninsula-Northern Neck Community Services Board for Fiscal Year 1998-1999 is hereby approved, and that its prior submission to the Department of Mental Health, Mental Retardation and Substance Abuse Services is hereby ratified.

HOWARD ASHCRAFT – REQUEST FOR MEMORIAL

Mr. Howard Ashcraft was present to request the Board's authorization to place a memorial on the Courthouse Lawn in memory of Beryl Newman, deceased, County resident and Congressional Metal of Honor recipient. Mr. Ashcraft added that he would like to dedicate the memorial on Veteran's Day 1998. The motion to approve the request was made by Mr. Miller, seconded by Mr. Williams and carried unanimously. Mr. Ashcraft is to work with Mr. Culley regarding a proper location for the memorial.

TELEPHONE SERVICES

Representatives from Claricom, Douglas Berry, Paul Bower, Jennifer Jauntry and Ron Carmanico, made brief presentations on various telephone services that Claricom could provide, including internet access, long distance service and a telephone system for the Cooks Corner Office Complex. Board members were asked to review the information packet delivered by Douglas Berry.

STREET LIGHTING

Dave Petite, Dave's Transmission, Saluda, requested that the Board have an additional streetlight installed near his business as an aid to deter vandalism. Mr. Petite noted that vandalism of customer vehicles at his business has increased in the past several years. Board members suggested that Mr. Petite install his own outdoor light and contact the Sheriff's department regarding the vandalism.

AUDITING CONTRACT

The auditing firm of Robinson, Farmer, Cox, Assoc., had submitted a price of \$15,500 to perform the County's annual audit. Board members requested the firm be offered a price of \$15,000.

APPROPRIATION REQUESTS

Deputies:

The motion to appropriate \$53,390 to the Sheriff's Department, account 3102-1001, 2001, 2002, and 2005, to fund two deputy positions for the year ending June 30, 1999, was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously. It was noted that the State Compensation Board has approved reimbursement for these positions.

Fuel Facility Repair:

The motion to appropriate \$2,333.33 received from the Department of Aviation, from revenue account 3-1-02040-0016 to 4-1-10020-3004, was made by Mr. Williams, seconded by Mr. Jessie and carried unanimously. This would be appropriated for the fiscal year ending June 30, 1998.

REFUND

The motion to refund \$50.00 each to Lyle Predmore and Garland Harrow, the cost of administrative variance applications, was made by Mr. Williams, seconded by Mr. Miller and carried unanimously. These applications were not necessary after the

Board recently approved the rezoning of subdivisions where the subject properties were located.

COOKS CORNER OFFICE COMPLEX – PARKING LOTS

Mr. Culley presented cost information for installation of a drop inlet and piping under the entrance to Dr. Davila's office. The inlet and pipe would drain water from the new paved parking area to a drainage ditch on the west side of the Davila property. The motion to approve the change order, subject to Department of Transportation approval, for \$1,600 was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

APPOINTMENTS

Resource Conservation and Development:

No action was taken regarding making an appointment to fill a vacancy on the R.C. and D. Council, created by James Clark's moving out of state.

Travel and Tourism Task Force:

The Chairman appointed Mrs. Weber to serve as a Board representative to the Travel and Tourism Task Force and requested Mr. Culley to make a staff appointment.

CONCERNED CITIZENS OF TOPPING

Dabney Miller, speaking on behalf of the Concerned Citizens of Topping, requested the Board move airport activities such as the Young Eagles program and Wings and Wheels to the Regional Airport. He stated this would be the best way to show support for the new regional airport.

Mr. Williams commented that the agreement for the regional facility had not been finalized and no activities would be sent there. Mr. Crittenden added that before the Board votes to join the regional facility a hearing would be held to hear the public's comments. There was no action by the Board.

MILL CREEK DOCK

Mr. Culley requested action from the Board regarding improvements needed at the Mill Creek public dock, as discussed at the last meeting. The Game and Inland Fisheries Commission has been contacted, but denies any responsibility to correct the erosion problem. The Department of Transportation contends that it is the Game Commission's problem to correct.

The motion to proceed with the installation of erosion protection (\$3,600) and addition to the pier (\$1600) and to arrange a meeting with Senator Bolling, Delegate Morgan and representatives of VDOT and Game and Inland Fisheries, was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

ARMY CORPS OF ENGINEERS – REQUEST TO WAIVE FEE

The motion to waive the local wetlands application fee of \$250.00 associated with the Army Corps of Engineer's application to dredge Whiting Creek was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously.

EMERGENCY SERVICES

Emergency Operations Center:

Mr. Culley advised the Board of his meeting with state and county agencies regarding emergency preparedness. It has been recommended that the County designate the administrative offices of the new regional jail facility as the alternate Emergency Operations Center (EOC) at such time as a local emergency is declared. The motion to approve the use of the facility was made by Mr. Williams, seconded by Mr. Jessie and carried unanimously.

Emergency Services Committee:

The emergency services committee met to discuss a collective approach to emergency operations – E911, dispatch and working services (fire and rescue). This committee will be meeting monthly to discuss these functions.

DRUG ENFORCEMENT GRANT

No action was taken regarding acceptance of the Department of Criminal Justice Services, Enhancing Drug Enforcement and Prosecution grant (federal funds \$28,871; local match required \$9,624).

COOKS CORNER OFFICE COMPLEX

The Board reviewed a price of \$12,043.25 received from Walden's Construction, for installation of an additional oil fired boiler to be used to heat the gymnasium. The Board declined acceptance of this price.

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 trees at the airport, and 2.1-344.a1, to discuss personnel issues, 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.

ADJOURN

There being no further business, the meeting was adjourned. It was announced that the Board would be meeting on July 9 at 7:00 P.M., at the Planning District Commission with the Industrial Development Authority. The next regular meeting of the Board would be on July 21, 1998, at 7:30 P.M.

Fred S. Crittenden, Chairman
Board of Supervisors