

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS  
HELD ON TUESDAY, MARCH 3, 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. Mr. Crittenden announced that Mr. Soberick was not in attendance, but would join the Board later in the morning.

**ACADEMIC CHALLENGE TEAM**

Mr. Crittenden welcomed members of the 1997-98 Academic Challenge Team, who had made it to state level competition.

**MINUTES**

The minutes of the February 3rd, 17th and 24th, meetings of the Board were considered for approval. Changes were made to the February 3<sup>rd</sup> minutes, correcting two misspellings. The motion to approve the minutes as corrected was made by Mr. Miller, seconded by Mrs. Weber and carried unanimously.

**DISBURSEMENTS**

The motion to approve disbursements for February, dated March 3, was made by Mr. Williams, seconded by Mr. Miller and carried unanimously. Checks numbered 28852 through 28974 totaling \$230,823.57 were disbursed as approved.

**PAYROLL**

The motion to approve payroll for the month of February was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously. Checks numbered 28763 through 28851 totaling \$112,748.09 were disbursed as approved.

**COMMITTEE REPORTS**

Mr. Williams

- Planning District Commission -- attended February 25<sup>th</sup> meeting; approved application for Community Development Block Grant and several resolutions, including those associated with Rideshare, a steamboat wharf feasibility study and several on-site wastewater revolving loan applications.
- Legislative Matters – continued discussion with legislators regarding comprehensive services.

Mrs. Weber:

- Anniversary Committee – kick off will be May 9 at Rosegill.

- Social Services Board – discussions on duties of adult and child abuse case workers.
- Comprehensive Services – additional appropriation request to be made later in today's meeting.

Mr. Jessie:

- Jail Authority – study has shown that 44% of incarcerated inmates have some type of substance abuse.

Mr. Miller:

- Chamber of Commerce – Senator Bolling has been invited to attend luncheon March 24 at the Urbanna Inn. An art show is being scheduled for some time in June.
- Dragon Run Steering Committee – first quarterly meeting was in February.

Mr. Crittenden:

- Airport Committee – progress is being made with GPS approach in having the pole obstruction removed.

Mrs. Weber requested information from Mr. Jessie regarding a payment that was made to Hardee's by the Regional Jail.

### **CONSTITUTIONAL OFFICERS**

Treasurer:

- Blue Cross Blue Shield shares – Mrs. Wilson informed the Board that she had sold 8,711 share of Blue Cross Blue Shield stock held by the County for \$31.25/share, of which \$220,571.87 (7070 shares) was allocated to the School Board and \$51,202.25 (1641 shares) was the Board of Supervisors. According to the Code of Virginia, proceeds from the sale of the stock had to be used in the following manner: school board proceeds – 50% for capital projects and 50% employee health insurance; county proceeds – 100% employee health insurance.

Mrs. Wilson requested the Board take action to allow her to establish two funds to transfer the proceeds to. Action was deferred pending review of the Code sections by Mr. Soberick.

- Dog Tag Sales – Mrs. Wilson informed the Board that she could produce revenue figures for the past five years of tag sales, but not the number of each tag sold.

Sheriff:

- Decals – Sheriff Dandridge presented information regarding the four- (4) roadblock checks for county decals that had been made.
- Vehicle – Sheriff Dandridge presented a request to order three (3) new vehicles to be billed after July 1. Mr. Culley recommended that two (2) vehicles be ordered, as had been the case in previous years. The motion to order two (2) vehicles, to be delivered after July 1, with payment from the 1998-99 budget, was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

## **HIGHWAY MATTERS**

- Route 615/616 – site distance improvements have been completed.
- Route 629 – VDOT officials are looking into formulating an agreement with the property owner for control of the floodgate at Healy's Mill Pond. Extensive damage to the road has occurred in the past two- (2) years due to excessive flooding in this area.

### ***Coves at Wilton Creek:***

Representatives of the Coves at Wilton Creek Owners Association, Anthony Meushaw and Ken Truffer, were present to inform the Board of the Association's proceedings with VDOT to convey the privately owned roads within the community to state ownership, maintenance and responsibility. A portion of one road travels over a retention pond berm. The state (VDOT) will require an agreement that the County guarantee the dam/berm and provide another access to the homes if something happens to the berm and the road is not usable. Mr. Meushaw and Mr. Truffer commented that overflow devices were in place and if the berm broke the water would flow into Wilton Creek, and not compromise the integrity of the road.

It was suggested that the representatives contact the Association's insurance carrier to see if bonding or insurance could be obtained to guarantee the site to the County. No further action was taken on the matter.

### ***Route 636 Easement***

The motion to accept the offer of \$125.00 from the Department of Transportation for a right of way across County owned property on Route 636 for proposed road improvements, was made by Mrs. Weber, seconded by Mr. Williams and carried unanimously.

### ***Route 33 Improvements***

Mrs. Weber requested information regarding the possibility of installing a turn lane from Route 3 onto Route 33 at Harmony Village. According to Mr. Woodward, VDOT engineers for the project have denied this request. Mrs. Weber requested a copy of the letter of denial. In addition, Mrs. Weber made a motion to send an official request from the Board regarding this matter. The motion was seconded by Mr. Miller and carried unanimously.

### ***Courthouse Meadows***

Mrs. Weber informed the Board and Mr. Woodward that she had received a petition from property owners in Courthouse Meadows that requested state maintenance of their road. Mr. Woodward advised the Board that acceptance of this road into the state system had to be through the rural addition process to be initiated by the Board of Supervisors. No further action was taken on this matter.

### ***Jackson Creek Dock***

Mr. Williams requested VDOT to apply for permission to install portable toilet facilities at the Jackson Creek Dock, which would allow boats to tie-up overnight.

## **DOG WARDEN**

Mrs. Jones introduced Alan Collier, part-time enforcement officer, who had also been assigned the duties of dog warden, replacing Marvin Estes.

## **SCHOOL MATTERS**

### ***Enrollment:***

Mr. Lackey reported current enrollment is at 1456 students, with average daily attendance at 1430. The enrollment figure for state budget appropriations is turned in at the end of April.

### ***Budget:***

Mr. Lackey was thanked for his presentation of the school budget at the recent joint budget session.

### ***School Administration (Old St. Clare Walker Building):***

Mr. Lackey requested the Board's reconsideration of a change order to the old St. Clare Walker Building in the amount of \$1,500 that will allow some reorganization of rooms. Mr. Lackey commented that the School Board would pay for this change. The motion to approve the change order was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

### ***Five-Year Plan::***

Mr. Lackey informed the Board that the school board and citizen representatives have been working to develop a capital improvement plan that is functional and fiscally conservative. This should be completed before June.

## **TEEN CENTER**

Mrs. Joan Henley discussed the possibility of the Teen Center Council utilizing a portion of a room off from the gym at Old St. Clare Walker School as a teen center. Mrs. Henley estimated that modifications to the room would cost approximately \$2,000. Mrs. Karen Reed, Parks and Recreation Director, did not object to the Teen Center Council's use of a portion of the room, however, she informed the Board that she did not want to accept responsibility for the property of the Teen Council, i.e., TV, VCR, computers, etc.

The Board expressed a consensus for Mrs. Henley to proceed with obtaining donations for the remodeling and to contact Mr. Culley and Mrs. Reed to work out a plan for the work.

## **APPROPRIATION REQUEST**

The motion to approve the appropriation of \$15,050.00 for comprehensive services was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously. This was the amount of funds needed for cases reviewed at the Community Policy and Management Team at their February 11, 1998 meeting.

## **FINANCING SCHOOL BOARD EARLY RETIREMENT OPTION**

The motion to procure the services of Robinson, Farmer, Cox Associates to assist with re-financing the early retirement obligation due the Virginia Retirement System by the school board, for a fee of \$2,500 was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously. It was noted that re-financing the obligation through a taxable general obligation Note would save approximately \$195,663 over the life of the note. The County will also be required to obtain legal counsel to perform bond services, at a fee of approximately \$7,500.00.

## **PRIVATE INDUSTRY COUNSEL**

Mr. Mike Jenkins, Executive Director of the PIC, and Rev. Chauncey Mann, Middlesex County's representative, were present to review the annual plan. The motion endorsing the plan as proposed was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

## **TIE-DOWN AGREEMENT**

The motion to continue with the current tie-down agreement with Marion and James M. Barnhardt, III was made by Mrs. Weber, seconded by Mr. Jessie and carried unanimously. It was suggested that as an incentive, no tie-down fee could be charged if fuel is purchased.

## **CHESAPEAKE BAY AGENCY ON AGING**

The motion to endorse the grant request of the Chesapeake Bay Agency on Aging for funding to purchase additional vehicles was made by Mr. Miller, seconded by Mr. Williams and carried unanimously.

## **PLANNING MATTERS**

### ***Air Safety Zone***

No action was taken pending a review and recommendation from the Airport Committee regarding changing the Hummel Field air safety zone to reflect state standards, rather than federal standards currently in effect.

### ***Comprehensive Plan Revisions***

The motion to proceed with the announcement of a public hearing to consider proposed revisions to the Comprehensive Plan was made by Mrs. Weber, seconded by Mr. Williams and carried unanimously. It was noted the state was withholding grant funding until after this public hearing was conducted.

### ***Wetlands Emergency Permitting Procedure***

Mr. Wilson requested the Board's guidance with establishing an emergency permitting process for wetlands applications to better define the process and deliver the service. Mr. Wilson questioned the conditions or circumstances that would warrant emergency permitting, who initiates the process, structures eligible for emergency permitting and duration of time to make the process available. The Board instructed Mr. Wilson to write a formal policy for their review.

### ***Request for Hearing***

Mr. Wilson requested the Board's consideration of scheduling a joint hearing with the Planning Commission to hear a special exception case at the Board's meeting on March 24<sup>th</sup>. According to the applicant, the need for a second dwelling on his property for a family member is a matter that needs to be resolved as soon as possible. The motion to hear the request jointly with the Planning Commission on March 24, 1998, was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

## **RENAMING OLD ST. CLARE WALKER**

It was suggested that Board members begin consideration of names to be used for the renovated old St. Clare Walker building.

## **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 case of Jessie v. the Board of

Supervisors was made by Mr. Miller, seconded by Mr. Williams and carried unanimously.

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

## **OLD BUSINESS**

### ***Dilapidated Boat House***

Mr. Soberick was instructed to write a letter to Mr. Pruitt of the Virginia Marine Resources Commission regarding the responsibility of the State to require a property owner to remove a dilapidated boathouse.

## **BUDGET WORK SESSION**

Following a recess for lunch, the Board met to conduct a budget work session. Mr. Culley reviewed the changes that were made at the work session on March 2<sup>nd</sup> and noted that the current proposal included a 3% increase for County employees. Mrs. Weber noted her opposition to any amount over a 2% salary increase. The proposed budget also included an overall 4% increase in local funds to the school board. This was favored by Mrs. Weber, Mr. Jessie and Mr. Miller and opposed by Mr. Williams.

The motion to schedule the budget public hearing for March 24, 1998, beginning at 7:30 P.M., was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

## **BLUE CROSS BLUE SHIELD STOCK**

Mr. Soberick confirmed that the Treasurer had the authority to sell the Blue Cross Blue Shield stock issued the county and school board. The motion directing the Treasurer to establish two separate funds to receive the proceeds from the sale of the stock was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

## **ADJOURN**

There being no further business, the meeting was adjourned until March 17, 1998, at 7:30 P.M.

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Fred S. Crittenden, Chairman  
Board of Supervisors