

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, APRIL 6, 1999, 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

Marcia Jones, Assistant County Administrator
Michael T. Soberick, County Attorney
Tim Wilson, Planning Director

CALL TO ORDER

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

JOINT MEETING WITH PLANNING COMMISSION

John England, Chairman of the County's Planning Commission, called the Commission members to order. The following members were present: George Harris, J. D. Davis, Bonnie Davenport, Russell Sibley, Henry Easton, John D. Miller, Jr.. The Commission was meeting in order to provide a recommendation to the Board regarding Rezoning Application R-99-02, which had originally been scheduled for the Commission's March meeting, which was cancelled due to inclement weather. Site Plan Application 99-03, Delaware Corporation, scheduled to be heard by the Commission was withdrawn by the applicant.

PUBLIC HEARINGS – REZONING APPLICATION R-99-002, HARTFIELD PARTNERS, LEWIS BRISTOW AND ANDREW BRISTOW, III

Mr. Wilson presented the Rezoning Application R-99-002, for the rezoning of nine (9) parcels along the north and south sides of Highway 33 and Route 707, from Low Density Rural (LDR) to Village Community (VC). The combined acreage of parcels being considered for rezoning, Tax Map #37-63, #37-7-E through H, and portions of #37-7-A through D, totals 110.94 acres. The property is owned by Hartfield Partners, Lewis Bristow and Andrew Bristow, III. A written proffer has been offered that if parcel 37-7-C is rezoned to VC District, then it will be developed and used only for medical clinics, health professional offices, pharmacy, and other related health and medical service businesses. No proposed uses are identified for other parcels.

Mr. Wilson recommended the approval of VC District rezoning for parcels #37-7-C and #37-7-D only, conditioned upon the acceptance of the proffer submitted for parcel #37-7-C. Mr. Wilson maintained that the location of the Hartfield Post Office

provides an established landmark that is suited to serve as the westernmost boundary and terminating point of the VC District.

Planning Commission Hearing

Mr. England opened the public portion of the hearing with the Commission. John Fleet, on behalf of Hartfield Partners, commented that Chesapeake Health Services had submitted a letter of intent to operate a medical clinic from a 7,000 square foot facility at Tax Map 37-7-C. Lewis Bristow requested the Commission consider approval of rezoning his properties, which front on Route 33 and have Route 707 at the back. There being no further public comment, the public portion of the hearing was closed.

Mr. England and Mrs. Davenport both commented that they did not agree with the spread of commercial business from the center of Hartfield. Mr. England added that the rural aspect of the area becomes lost. Mr. Fleet commented that the proposed setbacks take into consideration the future widening of Route 33.

Mr. Sibley believed the proposed medical office use fit the category of professional occupation, a use permitted by special exception in the current zone. Mr. Wilson explained that while the doctor's office may meet this use, the pharmacy that will also be under the same roof is a retail business.

Commission members discussed the possibility of adding medical facilities as a special exception use in the low density rural zone. Mr. England noted that with the proffers offered limiting the use of parcel C, the application becomes similar to a special exception. If the rezoning is approved, a site plan application would be heard at the regular Commission meeting.

The motion to recommend the rezoning of Tax Map Parcels #37-7-C and #37-7-D, with the acceptance of proffers for parcel C, was made by Mr. Sibley, seconded by Mr. Easton. This motion and second was withdrawn by Mr. Easton and Mr. Sibley. The motion to waive the time limit for acceptance of additional proffers was made by Mr. Davis, seconded by Mr. Miller and carried unanimously. Mr. Fleet, on behalf of the applicants, submitted an additional proffer to restrict the uses on Parcel D as had been proffered for Parcel C. The motion to accept the proffers restricting the uses on Tax Map 37-7-Parcel C and D and recommending the rezoning of the front 1500' of Tax Map 37-7-C & D from Low Density Rural to Village Community was made by Mr. Sibley, seconded by Mr. Davis and carried unanimously.

The motion to adjourn the Planning Commission was made by Mr. Davis, seconded by Mrs. Davenport and carried unanimously.

Board of Supervisors Hearing

Mr. Wilson concurred with the Planning Commission's recommendation.

Mr. Crittenden opened the public hearing. Mr. Fleet requested the Board's support of the rezoning of the property and subsequent construction of a medical facility. Robert Henkel noted that the post office was an automatic draw to businesses and the Board should look at other "clean" businesses for this area. There being no additional comments, the public portion of the hearing was closed.

Mrs. Weber noted that she was abstaining from discussion or voting on this application due to her association with the medical group.

The motion to approve the rezoning of Tax Map 37-7 Parcel C and D as recommended previously by the Commission was made by Mr. Williams, seconded by Mr. Miller and carried by vote of 4-0-1 (Weber abstaining).

CANOE HOUSE LANDING

Mrs. Alice Luck, adjoining property owner to the public beach at Canoe House Landing, requested more permanent delineation of the beach area to insure that the public does not use their private property. It was suggested that poles with latticework could be installed to divide the property. The Board requested that the Building Official attempt to find the property lines for installation of "no trespassing" signs.

HIGHWAY MATTERS

West Point Bridges – A public information meeting regarding options for the West Point Bridges is to be held on May 12th, from 3:00 –8:00 P.M., at the West Point High School.

Farmer's Market – Access to the Farmer's Market is being improved to allow for two entrances to the facility.

Route 615 and 626 – Trees were requested to be cut back on these roads.

VETERAN'S DAY PROGRAM

Kenneth McAuley, representative of Disabled American Veterans Chapter 58, requested to present a Veteran's Day Program on the Courthouse Lawn, November 11, 1999, from 10:00 a.m. – 12:00 noon. Mr. McAuley will be contacting the local American Legion posts and school band for their assistance. Mr. McAuley requested the Board's assistance and guidance with the program. The Board wished Mr. McAuley success with the planning of the program and the volunteer the cooperation of County staff.

WINGS AND WHEELS

Jamie Barnhardt and Ron Rapp, representing the Wings and Wheels event were present to endorse the Airport Committee's recommendation that fees be charged for vendors participating at the Wings and Wheels event. The motion to accept the recommendation and charge the following fees was made by Mr. Miller, seconded by Mrs. Weber and approved unanimously:

\$20.00 for a 10' x 10' space
\$30.00 for a 10' x 20' space
\$50.00 for a 10' x 30' space
\$5.00 for local non-profit operations

The Hartfield Volunteer Fire Department will collect a \$3.00 donation

MINUTES

The minutes of the March 2nd and March 16th meetings of the Board were considered for approval. Minor corrections were made to the draft minutes. The motion to approve the minutes as corrected was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

DISBURSEMENTS

The motion to approve disbursements for March was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously. Checks numbered 31979 through 32126 totaling \$268,595.07 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 31887 through 31978 totaling \$128,133.45 were disbursed as approved.

COMMITTEE REPORTS

Mr. Williams: Rappahannock Basin Commission – Could not attend last meeting.

Mrs. Weber:

- Social Services – Department received four (4) children into custody; two (2) were taken to Woodside Hospital for evaluation and treatment for 30 days at \$400/day.

- Red Cross – negotiating to try to keep charter.

Mr. Jessie:

- Jail Authority – all inmates are moved into the new facility.

Mr. Miller:

- Chamber of Commerce – working on projects for the new year; planning to have another cooking school.

Mr. Crittenden:

- Airport Committee – report given of paving repairs needed.

WATER SYSTEM - DELTAVILLE

The Deltaville Civic Association, after conducting their own study, has voted 100% in favor of a public water system for the Deltaville area. A public hearing is required prior to making recommendation for the creation of a water authority, which in turn could establish a water district that can be self-supporting. The motion authorizing the scheduling of a public hearing for May 18th, at 7:30 p.m., was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

APPROPRIATION REQUESTS

Regional Jail: The motion approving the following appropriation was made by Mr. Jessie, seconded by Mr. Miller and carried unanimously: TO: 4-1-33010-6001, \$89,932.00, from Fund Balance (for additional quarterly expenditures to the Regional Jail)

Building Department: The motion approving the following appropriation was made by Mr. Williams, seconded by Mr. Miller and carried unanimously: TO: 4-1-34010-7005, \$13,135.00, from Fund Balance (remaining balance due for purchase of vehicle. \$6,000 budget in FY 99 for lease; vehicle purchase price \$19,135.00).

Asset Forfeiture Program: The motion to approve the following appropriation was made by Mr. Miller, seconded by Mr. Williams and carried unanimously: TO: 4-1-10010-5803, \$16,923.58, from Fund Balance (Money received into the General Fund from State's asset forfeiture program for use at the Commonwealth Attorney's discretion. Funds to be distributed to the Treasurer for establishment of separate account.)

VPASA Bond Proceeds: The motion approving the following appropriation was made by Mr. Miller, seconded by Mr. Williams and carried unanimously: TO: 4-24-10010-8100 \$11,746.71, FROM: 3-1-18030-0008 (Proceeds from Refinancing the VPASA 1992 Series A School Financing Bond issue. These must be used for school construction as per the original bond issue and the Use of Proceeds Resolution adopted by the Board in November 1998.)

FLEET FUELING

The Board considered the bids received for providing fleet fueling for County vehicles. Bids were requested for discounts off the posted price for fuel purchased. The following bids were received:

COMPANY	DISCOUNTS OFF POSTED PRICE			
	Regular Grade	Medium Grade	Supreme Grade	Diesel
Robins' Texaco	0.05	0.06	0.10	0.06
Thrift Oil – Urbanna Exxon	0.05	0.05	0.05	0.05
Neighborhood Convenience	0.05	0.05	0.05	0.05

The motion to renew the contract with Robins' Texaco with the discounts as bid was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

BUDGET ADOPTION

General Fund Budget:

The following motion was made by Mr. Williams, seconded by Mr. Miller and carried unanimously: "I move to adopt the 1999-2000 General Fund Budget in the amount of \$10,247,942.00, which includes the School Operations Fund in the amount of \$4,452,281.00, the School's Capital Project Fund in the amount of \$90,400.00, and the School's Textbook Fund of \$57,399.00, and further the \$90,400.00 shall be used for the purchase of two (2) new buses."

Capital Improvement Fund:

The motion to adopt the Capital Improvement Fund Budget in the amount of \$35,000.00, was made by Mr. Jessie, seconded by Mr. Miller and carried unanimously.

E-911 Fund Budget:

The motion to adopt the E911 Fund Budget in the amount of \$48,620.00, was made by Mr. Miller, seconded by Mr. Williams and carried unanimously.

Tax Rates:

The motion to set the following tax rates for 1999-2000, was made by Mr. Williams, seconded by Mr. Miller and carried unanimously:

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

Appropriation Resolution:

The motion to adopt the 1999-2000 Appropriation Resolution, which includes the appropriation of the General Fund, totaling \$10,247,942.00, Capital Improvement Fund, totaling \$35,000.00, and the E911 Fund, totaling \$48,620.00, was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously:

**1999-2000 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 1999-2000 be approved and appropriations for the General Fund be made as follows:

COUNTY GENERAL FUND APPROPRIATIONS

	<u>FY 99-2000 Budget</u>
10010 Total Capital Outlay	205,477.00
10020 Total County Airport	97,449.00
11010 Total Board Of Supervisors	72,960.00
12010 Total County Administrator	167,804.00
12040 Total Legal Services	42,500.00
12080 Total Independent Auditor	18,500.00
12090 Total Commissioner of Revenue	180,714.00
12100 Total Assessor	35,000.00

12130	Total Treasurer	171,257.00
12190	Total Insurance/Risk Management	83,000.00
12200	Total Data Processing	65,200.00
13010	Total Electoral Board	20,499.00
13020	Total Registrar	37,991.00
21010	Total Circuit Court	26,926.00
21020	Total General District Court	11,950.00
21030	Total Juv&Dom Rel Ct Services Unit	14,657.00
21040	Total Magistrate	7,075.00
21050	Total Merrimac Center	34,713.00
21060	Total Circuit Court Clerk	160,884.00
21100	Total Juvenile Court	10,900.00
22010	Total Commonwealth's Attorney	75,636.00
31020	Total Sheriff	603,114.00
31030	Total Town Police	37,643.00
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	489,326.00
34010	Total Building Inspector	104,275.00
35010	Total Animal Control	30,599.00
35030	Total Medical Examiner	500.00
36050	Total Emergency Services	11,300.00
36090	Total E911	48,620.00
42020	Total Street & Road Cleaning	1,500.00
42030	Total Convenience Centers	83,032.00
42060	Total Refuse Disposal	3,000.00
42070	Total VPPSA	595,018.00
43020	Total General Properties	204,582.00
43040	Total Holly Point	2,500.00
43050	Total Canoe House Landing	500.00
51010	Total Health	130,331.00
51050	Total Hospitals	200.00
52010	Total Mental Health	22,560.00
53010	Total Welfare	754,014.00
53050	Total Chesapeake Bay Agency On Aging	5,000.00
53060	Total Disabilities Services Board	2,000.00
53090	Total Virginia Housing Development	900.00
53100	Total Vocational Rehab. Centers	4,543.00
53120	Total Gloucester-Mathews Humane	4,750.00
53150	Total Comprehensive Services	375,000.00
60000	Total Education	4,163.00
63200	Total VA School League Activities	3,000.00
71010	Total Parks & Recreation	34,563.00
71040	Total Sports Complex	24,000.00
72020	Total Museum	2,931.00

73020	Total Regional Library	81,659.00
81010	Total Planning	105,975.00
81040	Total Zoning Administration	32,907.00
81050	Total Industrial Development Authority	23,300.00
81060	Total Board of Zoning Appeals	6,100.00
81070	Total Anniversary Committee	1,500.00
82030	Total Soil & Water Conservation	1,950.00
82040	Total Environmental Enforcement/Wetlands	40,931.00
82050	Total Forestry Service	2,492.00
83030	Total Cooperative Extension Service	31,500.00
99010	Total Transfers Out	4,600,080.00
	Total General Fund Expenses	10,247,942.00

NOW, THEREFORE BE IT FURTHER RESOLVED, by the Middlesex County Board of Supervisors that the Budget for 1999-2000 be approved and appropriations for the Capital Improvement Fund be made as follows:

COUNTY CAPITAL IMPROVEMENT FUND APPROPRIATIONS

		<u>FY 99-2000 Budget</u>
99010-0045	Transfer To General Fund	35,000.00
	Total Capital Improvement Fund Appropriation	35,000.00

NOW, THEREFORE BE IT FURTHER RESOLVED, by the Middlesex County Board of Supervisors that the Budget for 1999-2000 be approved and appropriations for the E911 Fund be made as follows:

COUNTY E911 FUND APPROPRIATIONS

FY 99-2000 Budget		
99010-0001	TRANSFER TO GENERAL FUND	48,620.00
	Total E911 Fund Appropriation	48,620.00

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, 2000, 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, 2000.

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, 2000, 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 1999-2000; and

WHEREAS, the Middlesex County Board of Supervisors has included funds in the County General Fund for School Operations Fund in the amount of \$4,452,281.00, and in the School's Capital Project Fund in the amount of \$90,400.00, and in the School's Textbook Fund of \$57,399.00, and

THEREFORE BE IT RESOLVED, that the Middlesex County Board of Supervisors will await the School Board's revised Budget using the above listed amounts for approval at the May 4, 1999 Board of Supervisor's Meeting.

SUMMARY OF APPROPRIATIONS

General Fund	\$10,247,942.00
Capital Improvement Fund	\$35,000.00

E911 Fund	\$48,620.00
TOTAL APPROPRIATIONS	\$10,331,562.00

EmployeeSalaries:

The motion setting salaries for County employees as listed below was made by Mr. Williams, seconded by Mr. Miller and carried unanimously:

**MIDDLESEX COUNTY EMPLOYEES
PAYROLL CHANGES
5% INCREASE EFFECTIVE JULY 1, 1999**

	<u>Current Salary</u>	<u>Increase</u>
Charles Culley	\$53,223.00	\$55,884.00
Marcia Jones	\$29,376.00	\$30,885.00
Betty Callis	\$21,518.00	\$22,594.00
Etta Brownley	\$7.00	\$7.35
Michael Soberick	\$25,956.00	\$32,445.00**
Joan Curtis	\$20,141.00	\$21,148.00
David Selph	\$31,712.00	\$33,298.00
Robert McMurtrie	\$22,660.00	\$23,793.00
Shirley Hart	\$17,565.00	\$18,443.00
Alan Collier	\$18,540.00	\$19,467.00
Jerome Sibley	6.71/hr.	7.05/hr.
Raymond Carneal	5.89/hr.	6.18/hr.
Mary Bowling	5.62/hr.	5.90/hr.
Jeannette Langford	6.25/hr.	6.56/hr.
Renell Kennard	6.25/hr.	6.56/hr.
Robert Dail	5.62/hr.	5.90/hr.
Pearl Walker	5.56/hr.	5.84/hr.
Diane Charnick	5.56/hr.	5.84/hr.
Garland Collins	5.56/hr.	5.84/hr.
Kathy Miller	5.56/hr.	5.84/hr.
Cliff Heiser	6.00/hr.	6.30/hr.
Sonya Miller	5.67/hr.	5.95/hr.
Colleen Miller	5.89/hr.	6.18/hr.
Roberta Osbourne	\$13,259.00	\$13,922.00
Michael Adams	7.00/hr.	7.30/hr.

Karen Reed	\$16,618.00	\$17,449.00
Tim Wilson	\$37,492.00	\$39,367.00
Rae Callis	\$19,569.00	\$20,547.00
Thomas Jordan	\$22,000.00	\$23,100.00

** Board of Supervisors agreed to increase the County Attorney's salary to the above amount.

Board of Supervisors Salaries:

The motion to increase the salaries by \$100.00 per month, for members of the Board of Supervisors, effective January 1, 2000, was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

ANIMAL CONTROL/ZONING ISSUES – TOWN OF URBANNA

Mrs. Jones discussed an article in the Southside Sentinel, which said that the County would be enforcing the Town of Urbanna's moratorium on dogs running at large. Also, it was mentioned that the County would hold dogs picked up during the moratorium period in the County's animal facility. It was noted that this action by the Town had not been discussed with the County. Mrs. Weber noted that in a meeting with Tom Perrin, representative of the Town Council and Alan Collier, the County's Animal Warden, the issue of the 10-day moratorium was not discussed. Mr. Collier had indicated his willingness to uphold the County's ordinances throughout the Town.

In addition, an earlier article in the newspaper indicated that the County would be administrating the Town's zoning ordinance. The County's Zoning Administrator cannot act on the Town's ordinance unless the Town also appoints/hires Mr. Wilson as their zoning administrator.

Mr. Soberick noted that the Town would have to make requests of this nature to the County for consideration by the Board of Supervisors. Robert Henkel, representative of the Town Council, noted that the Town did not expect the County to administrate their zoning ordinance, but would like to be able to contact Mr. Wilson if they had questions. Regarding the animal control, Mr. Henkel commented that the Town did not anticipate their being a problem with this, but he would relay the County's concerns to the Mayor. Mr. Henkel noted that he would provide Mr. Soberick with a copy of the Town ordinance, which states that the County will enforce the moratorium.

OLD BUSINESS

Mrs. Weber announced that caller identification is now available County-wide.

CHILD ABUSE PREVENTION MONTH

The motion to recognize April as child Abuse Prevention Month was made by Mr. Miller, seconded by Mr. Williams and carried unanimously.

EXECUTIVE SESSION

The motion to convene in Executive Session for consultation with legal counsel, per Code of Virginia, Section 2.1-344.a7, land acquisition per Code of Virginia, Section 2.1-344.a3, and personnel matters, per Code of Virginia, Section 2.1-34.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. 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.

VIRGINIA COOPERATIVE EXTENSION

Kendra Kyle, 4-H Extension Agent, presented an award to the Board of Supervisors in recognition of their contributions to the Jamestown 4-H Camp. Camp will be held June 28 – July 2 and 75 slots are provided for Middlesex County this year.

ADJOURN

There being no further business, the meeting was adjourned by motion of Mr. Williams, second by Mr. Miller and carried unanimously. The next regular meeting of the Board was scheduled for April 20, 1999, at 7:30 P.M.

Fred S. Crittenden, Chairman
Board of Supervisors