

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, MARCH 29, 1999, IN THE BOARD ROOM OF THE
WOODWARD BUILDING, SALUDA, VIRGINIA:

Present: Fred S. Crittenden, Pinetop District
Kenneth W. Williams, Pinetop District
Lenora O. Weber, Saluda District
John D. Miller, Jr., Saluda District
Frank Jessie, Jamaica District

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

CALL TO ORDER

The Chairman, Mr. Crittenden, called the meeting to order at 7:30 p.m. in the Board Room and opened with a prayer.

COUNTY LICENSE TAX ORDINANCE

Mr. Culley presented the following proposed revisions to the County's License Tax Ordinance: increase the vehicle tax from \$15 to \$20; increase the tax for motorcycles from \$2.50 to \$7.00; set a new tax for any licensed trailer at \$10.00; and impose a penalty of \$10.00 for failure to purchase a decal by the due date. Mr. Crittenden opened the public hearing for comments.

John England commented in opposition to the proposed changes, noting the impact on lower income families and suggested that the increased fee and penalty will not help the Treasurer collect taxes. Mr. England noted that there is still a problem with enforcement of the current ordinance. Helena Powell opposed the proposal noting the hardship it created on senior citizens with fixed incomes. Ron Rapp opposed any increases in taxes without voter input by ballot. There being no further comment, the public portion of the hearing was closed for comment.

Revenue to be generated from the proposed increase in fees has been included in the County's proposed 1999-2000 budget, and would amount to a tax increase of approximately \$0.01 if adopted.

The motion to accept the changes in the ordinance as proposed, was made by Mrs. Weber, seconded by Mr. Williams and carried unanimously.

MOTOR VEHICLE LICENSE TAX ORDINANCE
BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF MIDDLESEX
COUNTY, VIRGINIA that:

1. There is hereby imposed a license tax upon every person, firm or corporation owning a motor vehicle, including, but not limited to, automobile, trucks and motorcycles, regularly housed, garaged or stored in the County of Middlesex and used or intended to be regularly operated upon the streets or highways in the County of Middlesex except as herein otherwise specifically provided. The provisions of this ordinance shall not apply to persons, firms or corporations exempted under the provisions of the Statutes of the State of Virginia from payment of a license tax upon motor vehicles, and also shall not apply to any person who does not legally reside in Middlesex County, and who does not use his motor vehicle in Middlesex County in the conduct of his business, occupation or profession. The word "reside" as used in this section shall be construed to mean "to have a place of abode in Middlesex County", irrespective of the intentions of any person to return to same residence outside of Middlesex County at some future time.

2.(a) One (1) decal shall be issued FREE OF CHARGE to each qualified volunteer fire department and rescue squad worker for one vehicle only. This decal shall be issued only upon written information submitted to the Treasurer of Middlesex County by the President/Chief of the Fire Department and/or by the President/Captain of the Rescue Squad.

(b) Prisoner of War and Congressional Metal of Honor holders of Virginia State license plates identifying same shall be issued FREE OF CHARGE.

(c) Disable Veterans with Virginia State license plates identifying same with "DV" shall be issued one decal FREE OF CHARGE.

(d) Active National Guard decals (Proper registration cards identifying same) shall be issued decals at ONE-HALF of the normal fee.

(e) On each and every motorcycle, motor scooter and vehicle of like design to which this ordinance is applicable, there shall be a tax of SEVEN DOLLARS AND FIFTY CENTS (\$7.50) per annum.

(f) On each and every other vehicle to which this ordinance is applicable there shall be a tax of TWENTY DOLLARS (\$20.00) per annum.

(g) On each and every licensed trailer to which this ordinance is applicable, there shall be a tax of TEN DOLLARS (\$10.00) per annum.

3. The license tax year shall commence on the first day of January and shall expire on the fifteenth (15th) day of February of each year.

4. Any person coming under the provisions of this ordinance shall make application for license upon forms prescribed by the Treasurer of Middlesex County and at such places as the Treasurer may designate, and upon payment of the required tax shall be issued a license decal to be affixed to the windshield of the vehicle so licensed in compliance with regulations promulgated by the Superintendent of State Police. It shall be unlawful for any person to whom a license decal is issued upon the payment of any license tax prescribed in this ordinance to give,

loan, rent, sell, assign or transfer such license decal to any other person, firm or corporation or to otherwise permit another to use in any manner such license decal during the license tax year for which the same is issued.

5. A duplicate decal shall be issued upon affidavit of the applicant that the original license decal has been mutilated or destroyed at a cost of ONE DOLLAR (\$1.00). For any decal reported lost or stolen, an affidavit must first be filed with the Sheriff of Middlesex County and then application made to the Treasurer to obtain a duplicate, together with a fee of ONE DOLLAR (\$1.00).

6. Whenever any license tax prescribed by this ordinance first becomes assessable subsequent to the first of January of any taxable year, such tax shall be assessed or collected on a prorated basis. The amount to be collected shall be determined by the ratio of the number of months remaining in the current license tax year, including the month in which the license tax first becomes assessable.

7. Every person holding a current motor vehicle license decal and disposing of the vehicle for which it was issued, and not purchasing another vehicle of the license tax paid by him upon surrender of the County license decals and the production of a certificate from the State Motor Vehicle Commissioner or other State officer, that the Virginia State license plates and registration certificates have been surrendered. Such refund shall be determined by the same method as number six (6) above except that the month of surrender of the motor vehicle license and not the month in which the license tax first becomes assessable shall be utilized in determining the refund. Such a refund shall be made by the Treasurer of Middlesex County from the General Funds of the County.

8. Any person who sells or transfers a motor vehicle licensed under the provisions of this ordinance may have the license decal thereon issued for another vehicle of like design and titled in such owner(s)'s name upon application to the Treasurer of Middlesex County on forms providing for the name and address of the applicant and description of the motor vehicle for which such license has been issued as well as a description of the motor vehicle to which license is to be transferred. Such application shall be accompanied by a fee of ONE DOLLAR (\$1.00).

9. All taxes and fees collected under the provisions of this ordinance shall be paid to the Treasurer of Middlesex County and shall be deposited by said Treasurer in the same manner as that prescribed for other funds. The Treasurer of Middlesex County shall supply the Commissioner of the Revenue of Middlesex County with a record of all motor vehicle license decals issued.

10. No license shall be issued under this Ordinance unless and until the applicant for such license shall have produced satisfactory evidence that all personal property taxes shall have been paid (which have been properly assessed or are assessable against the applicant by the County of Middlesex).

11a. Any person who operates, or permits any vehicle controlled by him to be operated upon the streets and roads of Middlesex County without first procuring the license required by this

Ordinance, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than FIVE DOLLARS (\$5.00) nor more than THREE HUNDRED DOLLARS (\$300.00).

11b. If any person shall fail or refuse to obtain a license decal required by this Ordinance within the time specified, there shall be added by the Treasurer to the license fee owed, a penalty of Ten Dollars (\$10.00) for each such failure or refusal to obtain a decal.

12. This ordinance shall become and be in full force and effect January 1, 2000, and thereafter and shall supersede any and all ordinances previously in effect with respect to the licensing of motor vehicles by Middlesex County. These decals will become available on January 1, 2000 and licenses for a prior year would not be issued thereafter.

ADOPTED THIS 29th DAY OF MARCH, 1999.

	YES	NO
Fred S. Crittenden	Aye	
Lenora O. Weber	Aye	
Kenneth W. Williams	Aye	
John D. Miller, Jr.	Aye	
Frank Jessie	Aye	

RECESS

The motion to recess to the Courtroom due to the large crowd was made by Mr. Miller, seconded by Mr. Williams and carried unanimously.

PUBLIC HEARING – SCHOOL AND COUNTY BUDGETS FOR 1999-2000

Mr. Crittenden reopened the meeting. Mr. Culley presented the proposed County budget in the amount of \$10,236,942, which includes \$4,452,281.00 in local funds proposed for the School budget, a decrease of \$33,658 in local funds from their budget request. It was noted that the savings, in the amount of \$183,903.00, due to the decrease in debt service, were being put towards the School budget request. Anticipated additional revenues from the State's capital improvement general fund and lottery funds for capital improvement will be used to offset the School request. These additional revenues were sufficient to allow Mr. Culley to propose no tax increase to fund school capital projects. The contribution to the regional jail was listed as a major increase over the previous year's budget. The County budget includes a 96.48% increase in funds for the regional jail, amounting to \$240,283.00. The proposed County budget reflects a total 6.79% increase from the current year.

Mr. Crittenden opened the public hearing for comments from the public. Following are comments received:

Raynell Smith requested an explanation of the contribution made to the fire/rescue departments.

Jack Tarran, Sherry Inabinet, Lillie Smith, BethThompson, Judy Rosquist, Tim Blackwood and Raynell Smith all spoke in support of additional funding for the library. Mr. Tarran requested the full \$12,000 be approved for the automation project. This amounts to 47% of the 1st year costs for the project, with the remaining funds being raised by the Library. Also, Mr. Tarran requested that the \$5,000 requested from the Library for books and materials be funded. The Board had not received this request, although it had been submitted prior to the deadline for submission. Mr. Tarran noted that an unexpected replacement of the heating and cooling system at the Deltaville branch, costing \$14,000, had severely strained their budget. The State is also requiring a lighting upgrade at the Deltaville branch in the amount of approximately \$5,000.

Ron Rapp questioned the expenses for the regional jail.

There being no further comments, the public portion of the hearing was closed. All Board members commented regarding the services provided by the local libraries and library volunteers. Mr. Williams noted that the Library Board probably would not be making as strong a plea for funding if they had not had the unanticipated heating and air conditioning problems. Mr. Crittenden noted that according to the Code of Virginia, the Board could not take action to adopt the budget for a minimum of seven (7) days.

PUBLIC HEARING – SCHOOL CAPITAL IMPROVEMENT PROGRAM

School Superintendent, Charles Lackey, presented the request for the Board of Supervisors to support the School Board's Capital Improvement Program, which included construction of one new elementary school and a new wing at the high school. The School Board met in special session earlier in the day and voted not to participate in the VPSA bond sale. The School Board is now looking at a lease/purchase program with a 25-year amortization.

Mr. Crittenden opened the floor for comments from the public. Ron Rapp questioned how the projects would be funded. Mr. Lackey explained that the projects would still be funded by bonds, possibly sold by the Industrial Development Authority. Pat Milby supported the capital projects and encouraged the Board to approve the program. Debbie Hollaman commented that the teachers are fabulous, but the facilities are inadequate. Patty Hall, commented that the Parent Teacher Organizations projects can help make working environment better, but not to the extent necessary. Susan Hudnall and Grace Moon spoke in favor of the capital improvement program.

There being no further comment, the public portion of the hearing was closed. Mr. Williams commended Mr. Lackey and Mr. Moore, School Board Chairman, for their work on putting the capital improvements program together and for their cooperation in working with the Board of Supervisors. The motion to adopt the Middlesex County School Capital Improvement Program in the amount of \$11.5 million was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

RECESS

There being no further business, the meeting was recessed until April 6, 1999, beginning at 9:00 A.M.

Fred S. Crittenden, Chairman
Board of Supervisors