

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, DECEMBER 5, 2000, IN THE BOARD ROOM OF THE
WOODWARD BUILDING, SALUDA, VIRGINIA:

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

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

CALL TO ORDER

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

MINUTES

The motion to approve the minutes of the November 7th and November 21st meetings was made by Mrs. Weber, seconded by Mr. Williams and carried unanimously.

DISBURSEMENTS

The motion to approve the disbursements as presented was made by Mr. Crittenden, seconded by Mr. Williams and carried unanimously. Checks numbered 37172 through 37347, totaling \$148,336.07 were disbursed as approved. Mr. Culley advised the Board that there have been problems with the boiler in the Woodward Building and replacement parts had become more difficult to obtain. The Board requested that Mr. Culley obtain a price for replacement of the existing boiler.

PAYROLL

The motion to approve payroll for the month of November was made by Mr. Williams, seconded by Mr. Jessie and carried unanimously. Checks numbered 37073 through 37170 totaling \$149,641.16 were disbursed as approved.

COMMITTEE REPORTS

Mr. Williams:

- Planning District Commission - Discussed septic tank revolving loan program; transportation issues; limited state funding for mandates.

Mrs. Weber: No reports

Mr. Jessie:

- Virginia Association of Counties Meeting - Attended meeting on new courthouses. Wiley Cook is looking into the possibility of obtaining grant funds to upgrade the holding cell area.

Mr. Crittenden:

- Airport Committee - Bids have been requested for cutting the trees at the airport; grant reimbursement will be requested from the Department of Aviation. Bids were received for the application of slurry sealant at the airport; this project will be delayed until the spring.
- School Projects - Mr. Crittenden advised the Board that he had attended one meeting with the School Board Chairman, the Building Official, Planning Director and Mr. Culley. Twenty sets of plans were requested at that meeting for distribution to the Planning Commission and Board; nothing has been received. Mr. Culley added that Zoning and Building department requirements for the new school and renovations were outlined in 1999, at a meeting between officials and follow-up letters. Board members noted their disapproval with being accused of not cooperating on the School projects

Mr. Culley:

- Virginia Association of Counties Annual Meeting - push for e-government and getting information to the public via the internet. Local grassroots effort is required to push the sharing of state income with localities; this is an item for discussion with the legislators at the Board's next meeting.

Mr. Miller:

- Virginia Association of Counties Annual Meeting - Chesapeake Bay Local Assistance Department - Fairfax County has joined Middlesex County in its opposition of proposed regulations and requirements by the CBLAD.

CONSTITUTIONAL OFFICERS

Commissioner:

Mrs. Ebinger advised the Board that she would obtain copies of land use ordinances from other counties to assist in revising the one currently in effect for Middlesex.

Sheriff:

Sheriff Abbott advised the Board of difficulties he was experiencing in maintaining a trained staff of dispatchers. Most localities are adding a county funded supplement to salaries in addition to what is funded by the State. The Sheriff requested the adoption of the proposed Memorandum of Understanding between the County, Emergency Committee and Sheriff, which would include salary information and responsibilities with regard to the new dispatch center. The motion to adopt the following Memorandum of Understanding and appropriate \$16,084.00 to fund salaries and supplements for the remaining portion of FY 01 was made by Mrs. Weber, seconded by Mr. Jessie and carried unanimously.

MEMORANDUM OF UNDERSTANDING

This memorandum of understanding is hereby made between the Middlesex County Emergency Services Committee, the Middlesex County Sheriff and the Board of Supervisors of Middlesex County.

The Board of Supervisors agrees to provide 32,168.00 dollars to be used as follows:

- Adding a one time salary supplement of up to \$4000.00 to the employee designed by the Communications Supervisors
- The hiring of a minimum of two additional part time dispatchers.
- Adding a one-time salary supplement of up to \$1500.00 for each regular dispatcher after a performance review and approval of the Communications Committee.

The following chart shows the amount of funding needed to fund the above:

	12 month	6 month
<i>Supervisor Supplement</i>	4000.00	2,000.00
+FICA	306.00	153.00
+VRS	200.00	100.00
+Life Ins.	32.00	16.00
<i>Total</i>	4538.00	2,269.00
<i>Dispatcher Supplements (5)</i>	7500.00	3,750.00
+FICA	573.75	286.88
+VRS	375.00	187.50
+Life Ins.	60.00	30.00
<i>Total</i>	8508.75	4,254.38
<i>Additional Part Time (2 min.)</i>	17,750.00	8,875.00
+FICA	1358.00	679.00
	19,108.00	9,554.00

The Communications Supervisor and all candidates for the position of dispatcher will undergo a selection process derived by agreement between the Emergency Services Committee and the Sheriff. The Sheriff shall have the final authority in the hiring of the Communications Supervisor and all dispatchers based upon recommendations from the Emergency Services Committee. The Communications Supervisor shall be responsible for supervision of dispatchers and daily operations of central dispatch. The Communications Supervisor shall follow a chain of command set forth by the Sheriff. The Emergency

Services Committee shall meet a minimum of four (4) times a year to discuss the performance of the Communications Supervisor and dispatch operations and may make recommendations to the Sheriff at any time regarding these matters.

The Sheriff agrees that the Communications Supervisor is responsible for the performance of all dispatchers, both Compensation Board employees and part time dispatchers. The Sheriff agrees that the new emergency dispatch center (Central Dispatch) is owned by the County of Middlesex and further agrees that the County of Middlesex owns the new Enhanced 911 system and new Motorola Radio Communication System. The Sheriff agrees to provide centralized dispatching of the County Fire, Rescue, and Law Enforcement organizations from the new County Dispatch Center.

All parties to this document further understand that at any such time should the Sheriff elect not to administer the function of centralized dispatch, immediate forfeiture of all rights and access to the new emergency dispatch center (Central Dispatch) shall occur. At that time the Board of Supervisors shall retain possession of the central dispatch building and all equipment described above.

Agreed this 5th day of December, 2000.

*John D. Miller, Jr., Chairman
Middlesex County Board of Supervisors*

*Guy L. Abbott, Sheriff
Middlesex County Sheriff's Office*

*Charles M. Culley, Jr., County Administrator
Coordinator of Emergency Services*

WORKERS' COMPENSATION FOR ELECTED OR APPOINTED OFFICIALS

The motion to adopt the following resolution, which will allow for elected and appointed officials of the County to fall under the County's workers' compensation coverage for injuries in the line of duty, was made by Mr. Williams, seconded by Mr. Crittenden and carried unanimously.

RESOLUTION

WORKERS' COMPENSATION

WHEREAS, the Board of Supervisors appoints citizens to various positions and committees who serve as representatives of the County and Board; and

WHEREAS, the Board of Supervisors feels that these appointed officials to be employees of the County, who should receive the same benefit of workers' compensation as other employees of the County;

NOW, THEREFORE BE IT RESOLVED, that members of the Middlesex County Board of Supervisors and appointed officials are hereby authorized to be included as employees for the purposes of the Workers' Compensation Act of the Commonwealth of Virginia and entitled to all coverage provided under said Act.

BAD CHECKS

Mr. Culley explained that the Building Department has recently been given several checks that were returned to the County after deposit because of insufficient funds. This constitutes non-payment for the permit and the permit issued with the

original payment would be voided. Mr. Culley requested that the Board consider charging a substantial fee for the issuance of the new permit, along with charging an after-the-fact fee for any work started prior to the re-issuance of the permit. According to Mr. Soberick, the State Code sets the maximum amount that can be charged for checks returned. Mr. Soberick was asked to research the amount. Mr. Williams expressed his opposition to charging an after-the fact fee.

HIGHWAY MATTERS

Mr. Bill Sullivan, Resident Engineer, announced that he would be retiring after 36 years of service with the Department of Transportation. The Assistant District Engineer or Joe Staton, Resident Engineer in Warsaw, would be filling in until a permanent replacement is selected. Larry Lucas, also retiring, may return on an hourly basis; Faye Bray is completely retiring.

School Crossing:

A response has been sent to the citizen submitting a suggestion for the School Crossing road design. Mr. Sullivan did not feel it was a viable solution.

Farm Bureau Request:

A letter received by the president of the local Farm Bureau Office requested that the branches be cut on Routes 676, 633 and 675 and corrections be made to correct the "s" turn and drainage problem on Route 612.

Route 612:

Once a sketch is signed by the commissioner and recorded, work will begin to correct the drainage problem on Route 612. Condemnation proceedings will continue concurrent with the actual repair.

Route 3:

On behalf of Hartfield Volunteer Fire Department, Mr. Culley requested that the trees in the right of way along Route 3 be cut back to improve the site distance for departing fire trucks.

SCHOOL MATTERS

Appropriation Requests:

The motion to approve the appropriation of Bay Consortium Workforce Investment Board funds for a youth program, was made by Mr. Williams, seconded by Mr. Crittenden and carried unanimously. TO: 4-023-60010-6210, \$9,767.00; FROM: 3-023-33020-0900, \$9,767.00.

The motion to approve the appropriation of \$8,056.00 in grant funds from the Department of Education - Individualized Student Alternative Education Program Grant (GED Program), was made by Mr. Williams, seconded by Mr. Jessie and carried unanimously. TO: 4-023-060010-6210, \$8,056.00; FROM: 3-023-24020-3000, \$8,056.00.

Enrollment:

Mr. Lackey reported that current enrollment was at 1,380 students.

Crossing Guard:

Mr. Lackey presented the School Board's formal resolution requesting the Department of Transportation widen the road at the intersection of Route 620 and Route 33. This will be submitted to the Department of Transportation with a request for inclusion in next year's funding plan.

Middlesex High School Choraleers:

The Choraleers, the small-group chorus from Middlesex High School, presented a short concert for the Board of Supervisors. The group was directed by Aaron Ward.

REVISED SCHEDULE FOR DECEMBER 19TH BOARD MEETING

Mr. Culley suggested that the Board begin the December 19th meeting at 6:30 P.M., and meet with the Legislators at that time, as it is believed there will be much public comment at the scheduled public hearings. The motion to schedule the meeting to begin at 6:30 P.M., was made by Mr. Williams, seconded by Mr. Crittenden and carried unanimously. The meeting has already been advertised to be held in the Middlesex County Courthouse.

EXTENSION AGENT - 4-H

David Moore introduced Carl Theil-Goin, new 4-H agent for Middlesex County. Mr. Theil-Goin is undergoing training in Gloucester County.

SCHOOL MATTERS

Tim Wilson, County Planning Director, was questioned regarding the proposed school projects. Mr. Wilson noted that he has never been contacted for any input into the School projects. On October 31st, Mr. Wilson received clarification from the School Board Chairman that Timmons was an agent for the School Board and that anything submitted by Timmons is correct and with the approval of the full School Board. Mr. Wilson commented that he has now been told that the color rendition submitted by Timmons and being used for public information is not correct. If other drawings are submitted that are substantially different, additional public hearings will be required.

Mr. Wilson reminded the Board that both school projects would require major site plan review and approval by both the Planning Commission and Board of Supervisors.

Mr. Culley noted that preliminary discussions with the School Board indicated there would be 28 new classrooms constructed on the west side of the High School. Proposals now submitted show a two-story addition on the front of the building with fewer new classrooms. The School Board has not submitted anything for preliminary review. Mr. Culley expressed his concern that the projects could be further delayed because of the approval times required by the Health Department, Department of Transportation and Fire Marshall.

REQUEST TO NAME MEMORIAL ROAD AND BRIDGE

The Board considered a resolution submitted by the American Legion-Middlesex Post 82, the Veterans of Foreign War - William Marchant Post 9636, and Disabled American Veterans - General Anthony Wayne Chapter 58, requesting honoring Beryl Richard (Dick) Newman by designating Route 227 as the "Beryl R. Newman Memorial Highway" and by designating the Urbanna Creek Bridge as the "Beryl R. Newman Memorial Bridge". The motion to adopt a similar resolution and submit it to the proper authorities was made by Mr. Crittenden, seconded by Mrs. Weber and carried unanimously.

RESOLUTION **MEMORIALS TO BERYL R. NEWMAN**

WHEREAS, actions by Beryl R. Newman during World War I allowed him to be honored with a Congressional Medal of Honor; and

WHEREAS, the Board of Supervisors desires to honor Captain Newman for his dedication to his country and his county;

NOW, THEREFORE BE IT RESOLVED, that it is the desire of the Board of Supervisors of Middlesex County to designate State Route 227, between the Town of Urbanna and Cooks Corner as "The Beryl R. Newman Memorial Highway"; and

BE IT FURTHER RESOLVED, that the Urbanna Creek Bridge on State Route 227 be designated "The Beryl R. Newman Memorial Bridge"; and

BE IT FURTHER RESOLVED, that necessary markings for these designations be installed by the Virginia Department of Transportation.

CLOSED MEETING

The motion to conduct a closed meeting for the purpose of discussing personnel issues, pursuant to §2.1-344.a1, and the handling and use of public funds, pursuant to §2.1-344.a7, of the Code of Virginia, was made by Mrs. Weber, seconded by Mr. Crittenden and carried unanimously. Upon reconvening in open session, the

following motion was made by Mr. Crittenden, seconded by Mr. Williams and carried unanimously:

- To the best of the members' knowledge, only public business matters lawfully exempted from open meeting requirements under Code of Virginia §2.1-344.a1 and §2.1-344.a7, and identified in the motion by which the Closed Meeting convened, were heard, discussed, or considered by the public body.

Action:

There was no action as a result of the Closed Meeting.

The Board recessed for lunch and agreed to return to the Board Room to continue the meeting.

CLOSED MEETING

Following a recess for lunch, the Board reconvened. The motion to conduct a closed meeting for the purpose of continuing the discussion on the handling and use of public funds, pursuant to §2.1-344.a7, of the Code of Virginia, was made by Mr. Williams, seconded by Mr. Jessie and carried unanimously. Mr. John Moore, School Board Chairman; Mrs. Betty S. Bray, Treasurer; and Mr. Irvin Farmer, Auditor; were present with the Board during the Closed Meeting. Upon reconvening in open session, the following motion was made by Mr. Crittenden, seconded by Mr. Jessie and carried unanimously:

- To the best of the members' knowledge, only public business matters lawfully exempted from open meeting requirements under Code of Virginia §2.1-344.a7, and identified in the motion by which the Closed Meeting convened, were heard, discussed, or considered by the public body.

Action:

As a result of the Closed Meeting, the motion to name Mrs. Bray as a replacement for Anita Wilson on all bond documents was made by Mrs. Weber, seconded by Mr. Jessie and carried unanimously.

AIRPORT MATTERS

The motion to authorize the County Administrator to contract with the tree contractor submitting the lowest responsive bid for topping trees on the Nuckols property, and submitting the same to the Department of Aviation for funding, was made by Mr. Williams, seconded by Mr. Jessie and carried unanimously.

ADJOURN

The motion to adjourn was made by Mr. Crittenden, seconded by Mr. Williams and carried unanimously. The next regular meeting of the Board of Supervisors was scheduled for Tuesday, December 19, 2000, to begin at 6:30 P.M., in the Courtroom of the Middlesex County Courthouse.

John D. Miller, Jr., Chairman
Board of Supervisors