

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, JULY 18, 2000, 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

The Chairman, Mr. Miller, called the meeting to order at 7:30 P.M. and opened with prayer.

SCHOOL MATTERS

Appropriation Request:

Superintendent Lackey requested the transfer of funds within categories of the School Budget to allow for payment of end of year electric bills. The motion to transfer \$8,210.45 from the Instruction category (60010-6210) to Operation and Maintenance (60010-6305) in the FY 00 budget, was made by Mr. Williams, seconded by Mrs. Weber and carried unanimously.

Health Insurance:

Superintendent Lackey explained that the Trigon proposal for health insurance shows an increase of 16%; there has been no increase over the past two (2) years. Of other systems studied, 85% had their benefits with Trigon. Mr. Lackey explained that being able to offer Trigon insurance in the benefit package was a plus.

The 16% increase will create a budget deficit of approximately \$60,000. Mr. Lackey requested a roll-over of \$30-32,000 remaining in the FY 00 budget, plus an additional \$30,000 appropriation. The motion to approve the total appropriation of \$60,000, based on the School Board returning a minimum of \$30,000 was made by Mr. Crittenden, seconded by Mrs. Weber and carried unanimously.

DISBURSEMENTS

The motion to approve several disbursements was made by Mr. Williams, seconded by Mrs. Weber and carried unanimously. Checks numbered 36035 through 36040, totaling \$36,939.75 were distributed as approved.

APPROPRIATION REQUEST

No action was taken regarding a request to appropriate \$30,000 to Legal Services, as payment for settlement of the air rights suit between the County and the Nuckols Land Trust.

REVIEW OF COMMUNITY DEVELOPMENT DEPARTMENT FEES

David Selph, Building Official, presented two (2) proposals for increasing fees for permits issued through the Building Department. Alternative 1 proposed a 75% increase in fees; Alternative 2 proposed a 62% increase. There has been no review or increase in a majority of the fees in 12 years. According to Mr. Selph, the United States Building Code allows the levy of fees to cover expenses of the department; revenues of the department have been behind its expenses for the past six years.

Board members offered their comments, with a majority in favor of the Alternative 1 proposal. Mr. Williams favored the lower increase. It was the consensus of the Board that Alternative 1 be advertised for public hearing at the August 15th meeting of the Board.

APPROPRIATIONS

Cemetery Committee - Approved by motion of Mrs. Weber, second by Mr. Jessie, carried unanimously. TO: 4-1-81070-5604, \$1500.00, Anniversary Committee FROM: 3-1-41060-0001, \$1500.00 - General Fund. Carry-over funding from FY 00 for the Cemetery Committee

Sheriff's Department - Approved by motion of Mrs. Weber, second by Mr. Jessie, carried unanimously. TO: 4-1-31020-5408, \$5,587.61; Sheriff, Vehicle and Gasoline Supplies FROM: 3-1-18030-0005, \$5,587.61 - Insurance Reimbursement. Reimbursement of insurance payment for damaged vehicle.

Social Services - Approved by motion of Mr. Williams, second by Mr. Jessie, carried unanimously. TO: 4-1-53010-5408, \$203.30 - Social Services - Vehicle and Gasoline Supplies; FROM: 3-1-18030-0005 - Insurance Reimbursement. Reimbursement of insurance payment for damaged vehicle.

RESOLUTION - AS400 COMPUTER UPGRADE

The motion to approve the following resolution authorizing the lease/purchase of an upgraded AS400 computer was made by Mr. Crittenden, seconded by Mr. Williams and carried unanimously:

RESOLUTION

Master Equipment Lease/Purchase Agreement Dated July 13, 2000

At a regular meeting of the Middlesex County Board of Supervisors held in accordance with all applicable legal requirements, including open meeting laws, on the 18th day of July, 2000, the following resolution was introduced and adopted by vote of the following members, all present:

<i>John D. Miller, Jr.</i>	<i>aye</i>
<i>Kenneth W. Williams</i>	<i>aye</i>
<i>Lenora O. Weber</i>	<i>aye</i>
<i>Frank Jessie</i>	<i>aye</i>
<i>Fred Crittenden</i>	<i>aye</i>

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER EQUIPMENT LEASE/PURCHASE AGREEMENT, AND RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the governing body of Middlesex County ("Lessee") has determined that a true and very real need exists for the equipment (the "Equipment") described in the Master Equipment Lease/Purchase Agreement (the "Agreement") presented to this meeting; and

WHEREAS, Lessee has taken the necessary steps, including those relating to any applicable legal bidding requirements, to arrange for the acquisition of the Equipment, and

WHEREAS, the Board of Supervisors has determined that the Equipment is to be provided by a sole source provider; and

WHEREAS, Lessee proposes to enter into the Agreement substantially in the form presented in this meeting:

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF LESSEE AS FOLLOWS:

Section 1. BEST INTERESTS OF LESSEE. *It is hereby found and determined that the terms of the Agreement in the form presented to this meeting and incorporated in this resolution are in the best interests of Lessee for the acquisition of the Equipment.*

Section 2. AUTHORIZATION. *The Agreement is hereby approved. The County Administrator of Lessee and other officers of Lessee who shall have power to execute contracts on behalf of Lessee be, and each of them hereby is, authorized to execute, acknowledge and deliver the Agreement with any changes insertions and omissions therein as may be approved by the officer(s) who execute the*

Agreement, such approval to be conclusively evidenced by such execution and delivery of the Agreement. The Assistant County Administrator of the Lessee and any other officers of Lessee who shall have power to do so be, and each of them hereby is, authorized to affix the official seal of Lessee to the Agreement and attest the same.

Section 3. EXECUTION OF DOCUMENTS. The proper officer(s) of Lessee be, and each of them hereby is, authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this resolution and the Agreement.

Section 4. DESIGNATION AS QUALIFIED TAX-EXEMPT OBLIGATION. Lessee hereby designates the Agreement as a "qualified tax-exempt obligation" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

Section 5. EFFECTIVE DATE. This Resolution shall take effect immediately.

The undersigned certifies that the above resolution has not been repealed or amended and remains in full force and effect, and further certifies that the above and foregoing Agreement is the same as presented at said meeting of the governing body of Lessee.

Seal:

Marcia Jones

I hereby certify that I am the County Administrator of said governing body and that the foregoing is a correct copy of the resolution passed as therein set forth, and that the same is now in full force.

LESSEE:

By: _____
Name: Charles M. Culley, Jr.
Title: County Administrator

VDOT PRIMARY ROAD PUBLIC HEARING

Board members requested that the following items be addressed and endorsed at the upcoming VDOT Primary Road Public Hearing to be held on July 26: Extension of four lanes through Hartfield and West Point bridge project as per the resolution adopted by the Board in March.

Board members requested that Mr. Sullivan, Resident Engineer, be contacted regarding the recent improvements in Hartfield to add a center lane.

DUMPING VIOLATION

Mr. Miller presented photographs of property that is being used for the commercial disposal of land clearing debris. Mr. Culley was requested to instruct Alan Collier, Codes Compliance Official, to contact the Department of Environmental Quality for assistance in stopping the illegal dumping.

BUTYLO RIGHT-OF-WAY

Mr. Jessie requested that Mr. Jerry Ferguson be given time on the agenda for the August 1st meeting to discuss the right-of-way to the Oyster House at Butylo.

CLOSED MEETING

The motion to conduct a closed meeting for the purpose of consultation with legal counsel regarding the Airport suit and Courthouse suit, pursuant to §2.1-344.a7 of the Code of Virginia, and personnel, pursuant to §2.1-34.a1, was made by Mr. Williams, seconded by Mr. Crittenden 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 from open meeting requirements under Code of Virginia §2.1-344.a7 and .a1, and identified in the motion by which the Closed Meeting convened, were heard, discussed, or considered by the public body.

Action:

Upon returning to open session from the closed meeting, Mr. Soberick announced that the Board had given authority to the County Attorney to execute the necessary documents to give the Board until February 1, 2001, the right to review its options with regard to Courthouse improvements.

OTHER BUSINESS

Mrs. Weber asked that the Southside Sentinel be requested to make a correction with regard to the recent appointment of Mr. Culley, Mrs. Weber and Mr. Miller to serve as the panel for conducting interviews with architectural firms.

ADJOURN

There being no further business, the meeting was adjourned until August 1, 2000, at 9:00 A.M.

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