

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, JUNE 20, 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. It is noted here that Mr. Williams was not present for the entire meeting. Mr. Williams arrived during the initial discussion of the Town of Urbanna, Police Services Agreement.

PUBLIC HEARING - ZONING ORDINANCE AMENDMENT 00-03

Mr. Culley presented Application AM-00-03, a request submitted by the Board of Supervisors to amend Zoning Ordinance Article 8-3, Village Community District and Article 11-4, General Business District to permit "Public and private communications facilities" as special exception uses. Previous actions by the Board in July 1997 and June 1998, added the same use by special exception in the Low Density Rural and the Light Industrial Districts. It was noted that the Comprehensive Plan does not directly address the locating and use of communication facilities. The Planning Commission, by unanimous vote on June 8, recommended approval of the application.

Mr. Miller opened the public hearing for comments. There being no comments, the public portion of the hearing was closed. The motion to approve the application as submitted was made by Mrs. Weber, seconded by Mr. Crittenden and carried unanimously.

CANOE HOUSE LANDING

Mr. Culley noted that immediately following the last Board meeting he was contacted by mail by the adjoining property owner. Mr. Culley has visited the site and provided the Board with pictures of the area. There have been continual problems with the "end public beach" signs disappearing; work needs to be done to the pier to create a ramp down to the beach, and the grass needs to be cut.

Mr. J. Tyler Luck, adjoining property owner, was in attendance and presented the Board with his own pictures of the area. Mr. Luck requested the Board's assistance with establishing an agreement as to the location of the boundary, and installing a permanent, maintainable divider between the properties.

The Board requested that the recorded survey of the property be researched and sent to Mr. Luck, and that Mr. Luck, Mr. Culley and Mr. Jessie meet on site to establish a boundary that can be surveyed and recorded by agreement.

COMMUNICATIONS TOWER AGREEMENT

A revised agreement between the County and American Tower for the construction and maintenance of three (3) towers on County properties has been received. Previous drafts have listed the tower sites as the Jamaica Convenience Center, the Sheriff's Department site and Hartfield Convenience Center. Further study of the Hartfield site confirmed that the location was not suitable, and now the Wilton Elementary School property is being considered. The School Board will review the proposal at their meeting on June 27. Each site would also require a Special Exception Permit and building department permits.

Mr. Crittenden requested that the agreement be clarified with language that established that a total of three towers are to be constructed and maintained. In addition, the proposed agreement had a deadline for completion of the initial tower, but no reference to completion dates for the other two towers.

A motion was made to accept the agreement with the following revisions and subject to the approval by the School Board for use of the Wilton Elementary School site and further zoning approval:

- Clarification that three (3) towers are to be erected, with references to the Tower and Tower site being amended and made plural.
- The time frame for completion of all towers shall be within ninety (90) days following receipt of all necessary building permits.

The motion was made by Mrs. Weber, seconded by Mr. Jessie and carried unanimously.

RADIO AND PAGING SYSTEM CONTRACT

Mr. Culley updated that Board on the status of the radio and paging system project. Two (2) proposals were received and interviews conducted with both companies, Atlantic Communications and Motorola, by the Communications Committee. At the recommendation of the full Committee, a sub-committee was appointed and has met again with Motorola, considered to be the best respondent, to negotiate a contract for the system.

Motorola presented a total system price of \$2,030,882.00, offering an incentive deduction of \$200,000 if the contract is received by June 26th. A financing package was also offered, requiring a down payment of \$99,000.00 by July 1, 2000, payments of \$199,000 for 13 years, and a final payment of \$42,274.97. Payments fall within the \$199,000 that has been budgeted for debt service for the project.

Additional monies would be needed for putting up the equipment shelters at two new tower sites, estimated at \$100,000.

The motion to enter into a contract agreement with Motorola for a total of \$1,830,882.00 for paging and radio system equipment, and authorizing the County Administrator and County Attorney to sign documents for the same on behalf of the County, was made by Mrs. Weber, seconded by Mr. Jessie and carried unanimously.

Mrs. Weber thanked the volunteers present who served on the current Communications Committee and for their work over the past several years.

TOWN OF URBANNA - POLICE SERVICES AGREEMENT

Stan Livengood, Urbanna Town Manager, presented the Board with a revised police services agreement for July 1, 2000 - June 30, 2001. Proposed revisions from the Town include an increase in funding to \$38,700 and removal of a clause requiring the Town to pay for unemployment compensation in the event the Town canceled the agreement.

Board members expressed their opposition to paying for compensation if the Town cancelled the agreement. Mr. Livengood commented that the Town Council was opposed to paying unemployment compensation when the Town was not assigned one specific deputy. The current agreement allows the Sheriff to rotate deputies to provide forty- (40) hours of dedicated police patrol coverage per week in addition to routine coverage rendered to the Town as being a part of the County. The Sheriff commented that this was a win-win situation for the Town and County, providing the Town with dedicated coverage and providing an extra deputy for the County when other deputies are out of the County making emergency transports.

The motion to reject the agreement based on removal of the unemployment compensation clause was made by Mr. Crittenden, seconded by Mr. Williams and carried by vote of 4-0-1, with Mrs. Weber abstaining.

This item was discussed further in the meeting.

APPROPRIATIONS

Two-for-Life - Approved by motion of Mr. Crittenden, second by Mr. Jessie, carried unanimously. TO: 4-1-32030-5604, \$2,643.25 and 4-1-32030-5605, \$2,643.25 - Central and Middlesex Volunteer Rescue Squads FROM: 3-1-24040-0009, \$5,286.50 - Two-for-Life Funding. Appropriation of Two for Life funds received from the State on April 4, 2000.

County Administrator's Compensation - Approved by motion of Mr. Jessie, second by Mr. Crittenden, carried unanimously. TO: 4-1-12010-1001, \$2,500; 12010-2001, \$191.25; 12010-2002, \$173.25 - County Administration - Compensation, FICA, VRS FROM: 3-1-41060-0001, \$2,865.00 - General Fund. County Administrator's increase in salary effective January 1, 2000; approved by Board of Supervisors May 16, 2000.

Regional Jail - Approved by motion of Mr. Jessie, second by Mr. Crittenden, carried unanimously. TO: 4-1-33010-6001, \$122,322.00 - Regional Jail Purchase of Services; FROM: 3-1-41060-0001 - General Fund. Over-run in budgeted amount due to increase in population at the Jail.

Reassessment - Approved by motion of Mr. Williams, second by Mr. Crittenden, carried unanimously. TO: 4-1-12100-3002, \$21,706.00- Reassessment - Professional Services; FROM: 3-1-41060-0001, \$21,706.00. Reassessment and Board of Equalization (an additional appropriation will be requested in FY 01 for final payments to the Board of Equalization.

Snow Removal - Approved by motion of Mrs. Weber, second by Mr. Crittenden, carried unanimously. TO: 4-1-42020-3011, \$850.00 - Street & Road Cleaning - Snow Removal; FROM: 3-1-41060-0001, General Fund. Snow Removal

Street Signs - Approved by motion of Mrs. Weber, second by Mr. Williams, carried unanimously. TO: 4-1-42020-5413, \$165.00, Street & Road Cleaning - Street Signs; FROM: 3-1-41060-0001, General Fund. Street Signs.

Puller Center Repairs - Approved by motion of Mr. Williams, second by Mr. Crittenden, carried unanimously. TO: 4-1-43020-3004, \$15,700.00, General Properties - Repairs & Maintenance. FROM: 3-1-41060-0001, General Fund. Expenses incurred at the Puller Center due to snow.

Zoning Administration Compensation - Approved by motion of Mr. Williams, second by Mr. Jessie, carried unanimously. TO: 4-1-81040-1001, \$10,895.00; 81040-2001, \$834.00; 81040-2002, \$758.00; 81040-2005, \$1,436.00. Zoning Administration - Compensation, FICA, VRS, Hospital/Medical. FROM: 3-1-41060-0001, General Fund \$13,923.00. 4% of Alan Collier's salary was never put in budget last year. This includes his salary and benefits, plus salary and benefits for Carried Nicholas for 2 months. Rae Callis left May 1st, but will not come off the payroll until the end of June.

Sheriff - Compensation - Approved by motion of Mrs. Weber, second by Mr. Jessie and carried unanimously. TO: 4-1-31020-1003, \$9,373.72, Sheriff - Compensation Part Time; FROM: 3-1-23020-0001, Sheriff - Compensation. In and out revenue/expense - reimbursement already received from the State Compensation Board.

Sheriff - Compensation - Approved by motion of Mrs. Weber, second by Mr. Williams and carried unanimously. TO: 4-1-31020-1001, \$6,000.00, Sheriff - Compensation Part Time; FROM: 3-1-23020-0001, Sheriff - Compensation. In and out revenue/expense reimbursement for people leaving employment - reimbursement already received from the State Compensation Board.

Sheriff - Vehicle Repair - Approved by motion of Mrs. Weber, second by Mr. Jessie and carried unanimously. TO: 4-1-31020-5408, \$18,000.00, Sheriff - Vehicle Repair & Maintenance. FROM: 3-1-41060-0001, General Fund. Vehicle bought in February for Drug Officer plus additional money for vehicle repairs.

DISBURSEMENTS

The motion to approve disbursements was made by Mrs. Weber, seconded by Mr. Crittenden and carried unanimously. Checks numbered 35744 through 35822, totaling \$55,914.70, would be disbursed as approved.

APPOINTMENTS

The motion to approve the following appointments was made by Mr. Crittenden, seconded by Mr. Williams and carried unanimously:

Social Services Board: Joan Harris, Pinetop District, Term to run from July 1, 2000 - June 30, 2004.

Planning District Commission: Curtis Jones, County-wide, Term to run from July 1, 2000 - June 30, 2001.

Airport Committee: Scott Kauffman, Pinetop District and Ellis Walton, Jamaica District; Terms to run from September 1, 2000 - August 31, 2004.

TOWN OF URBANNA - POLICE SERVICES AGREEMENT

After further review of the Police Services Agreement, Mr. Soberick advised that it was his opinion that the current agreement would still be in effect after June 30, because 90 days notice of the proposed change was not given to the Board of Supervisors. Mr. Soberick was instructed to write a letter to Rob Brookes advising him of such.

HOLIDAY SCHEDULE

The motion to approve closing of County offices on Monday, July 3 was made by Mrs. Weber, seconded by Mr. Crittenden and carried unanimously.

The regular day meeting for July will be held on Wednesday, July 5, at 9:00 A.M., by motion of Mr. Williams, second by Mr. Jessie and carried unanimously.

OTHER BUSINESS

Mr. George Snead appeared before the Board with complaints regarding operations at the Middlesex Transfer Station. Current regulations require that dump bodies be unloaded by hand until the load is less than 2 cubic feet in size. Mr. Snead advised that although he has a dump body on his vehicle, the debris that he hauls to the transfer station is not a heavy weight and should not affect the compactor unit. Mr. Snead believed that checking individual loads by the attendant would eliminate a problem. Mr. Snead requested the posting of parameters for citizens to see and the checking of loads by the attendant.

CLOSED MEETING

The motion to conduct a closed meeting for the purpose of consultation with legal counsel, pursuant to §2.1-344.a7 of the Code of Virginia, to discuss the Courthouse litigation, Airport litigation and Delaware Corporation litigation, 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. Crittenden 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:

There was no action by the Board as a result of the closed meeting.

OTHER BUSINESS

Mrs. Weber requested Alan Collier, Codes Compliance Officer, notify District Supervisors about solid waste problems in their districts prior to contacting the Department of Environmental Quality.

ADJOURN

There being no further business, the meeting was adjourned until July 5, 2000, at 9:00 A.M.

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