

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS  
HELD ON TUESDAY, APRIL 3, 2001, IN THE BOARD ROOM OF THE  
WOODWARD BUILDING, SALUDA, VIRGINIA:

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

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

**CALL TO ORDER**

The Chairman, Mr. Williams, called the meeting to order at 9:00 a.m. and opened with a prayer.

**IN MEMORIAM TO FRANK JESSIE**

Mr. Culley read a resolution in memory of Frank Jessie, which was adopted by motion of Mr. Miller, seconded by Mr. Crittenden and carried unanimously. The Resolution will be presented to the family of Mr. Jessie with a copy to hang in the Board Room.

Middlesex County, Virginia  
Board of Supervisors

**W**hereas, the Honorable Frank Jessie, Sr. departed this life on March 22, 2001, and

**W**hereas, Mr. Jessie was first elected to the Middlesex County Board of Supervisors in November 1979, by the citizens of the Jamaica District, and

**W**hereas, Mr. Jessie was re-elected five consecutive terms, and faithfully served the citizens of Middlesex County up until his death, and

**W**hereas, Mr. Jessie was always a strong supporter of local business and job creation for the county, and

**W**hereas, Mr. Jessie was a crusader for public education and the need for job training in the areas of building trades, and

**W**hereas, Mr. Jessie was known by his peers as a man of few words, and strong convictions, and

**W**hereas, his unwavering loyalty to Middlesex County and its people made him a respected local government leader throughout the region and the state of Virginia.

**N**ow Be It Resolved by the Board of Supervisors of Middlesex County, that it be made fully known to all those who shall follow,

**T**o wit:

**T**hat the County of Middlesex, the Board of Supervisors, the citizens of the Jamaica Election District, the staff and employees of the local government, and all those relatives and friends, have all suffered a great loss, and though the man may be gone, his legacy of leadership, public service and dedication shall endure for future generations.

**M**ay the County be so fortunate to find another to step forward and fill the void created by his death.

Adopted this 3<sup>rd</sup> day of April, in the two thousand and one year of our Lord.

Kenneth W. Williams, Chairman  
Chairman

John D. Miller, Jr., Vice

Lenora O. Weber

Fred S. Crittenden

## **MINUTES**

The motion to approve the minutes as presented for March 6<sup>th</sup> and March 20<sup>th</sup> was made by Mr. Miller, seconded by Mr. Crittenden and carried unanimously.

## **DISBURSEMENTS**

The motion to approve the disbursements as presented was made by Mrs. Weber, seconded by Mr. Crittenden and carried unanimously. Checks numbered 38263 through 38382 totaling \$254,018.86 were disbursed as approved. A check to the engineering firm of Talbert and Bright is to be held pending Mr. Soberick's investigation of the invoice.

## **PAYROLL**

The motion to approve payroll for the month of March was made by Mr. Miller, seconded by Mrs. Weber and carried unanimously. Checks numbered 38049 through 38262 totaling \$156,926.60 were disbursed as approved.

## **COMMITTEE REPORTS**

Mr. Miller:

- Community Criminal Justice Board -

Mrs. Weber:

- Social Services - Katherine Amy has resigned due to illness. Mr. Jessie had suggested Elizabeth Anderson as a replacement. Action was delayed on this appointment pending appointment of a Jamaica District Supervisor.
- Emergency Services Committee - Commented on the complaints received from citizens who were not in favor of changing the numbering system within their subdivisions. Mrs. Weber stressed the need for more publicity on the matter to better inform the public.

Mr. Crittenden:

- Airport Committee - no report

Mr. Williams:

- Planning District Commission - no report

Mr. Culley:

- Planning District Commission - The final report on regional assessment was presented. This proposal will not save the county money, but a better product should be produced. The Committee will continue to meet and will try to get the administrative costs down.

## **CONSTITUTIONAL OFFICERS**

**Commissioner of Revenue:** no report

**Treasurer:**

The Treasurer, Mrs. Bray, reported that delinquent letters have been mailed.

## **SHERIFF**

### ***Appropriation Requests:***

The motion to approve the following appropriations was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously:

Compensation Board: Additional funds received from Compensation Board; FROM: 3-1-23020-0001 (Sheriff) \$4048.00 TO: 4-1-31020-1003 (Sheriff - Part time Compensation) \$4048.

Vacancy Savings - Compensation Board: Additional funds received from Compensation Board; FROM: 3-1-23020-0001 (Sheriff) \$9320.00 TO: 4-1-31020-1003 (Sheriff - Part time Compensation) \$4660 and 4-1-31020-1002 (Sheriff - Overtime Compensation) \$4660.

Sheriff Abbott advised the Board that he had been able to hire an additional part-time deputy with the above funds.

### ***COPS Grant - Resource Officer:***

Sheriff Abbott requested the Board's approval of an application for federal funds (Community Oriented Policing Services - COPS) to pay for a School Resource Officer. The application, if approved, would provide for three (3) years funding for the position; the County would be responsible for retaining and fully funding the position for one full local budget cycle following the conclusion of the Federal grant period. Based on an entry-level salary plus benefits of \$30,616, the fourth year budget for salary and benefits equaled \$35,889. The retention plan for the position includes language that supplemental funding could be requested from the Board of Supervisors or School Board, along with applications for funding on the state level to supplement the position.

The motion authorizing the County Administrator to sign the retention plan and application for funding was made by Mr. Crittenden, seconded by Mr. Miller and carried unanimously.

### ***Other Business:***

Chairman Williams apologized to Sheriff Abbott for any misunderstanding of his behavior at the Budget Public Hearing.

Sheriff Abbott thanked the Department of Transportation for their assistance at the Communications Addition.

## **HIGHWAY MATTERS**

### ***Projects:***

Jamie Surface informed the Board of patching projects on Route 33 and work being done at the Sports Complex. Mr. Crittenden advised VDOT regarding a drainage and road edge problem near the end of Route 33.

**Route 33:** Mr. Surface informed the Board that preliminary study of the traffic in the Locust Hill area did not indicate a need to reduce speed. Mr. Surface explained that the road was designed for speeds higher than 55 miles per hour and that adequate turn lanes and deceleration lanes were provided for all business entrances. Mr. Surface reminded the Board that driver error needed to be considered with vehicle accidents and that a reduced speed limit cannot correct that; sometimes it can make conditions worse.

**Route 630:** VDOT will consider posting a weight limit or limiting through tractor/trailer traffic on this road.

## **SCHOOL MATTERS**

**Appropriation Requests:** Motions were made and seconded by the members listed; all votes were carried unanimously.

Vehicle Fuel: To pay vehicle fuel bills for remainder of year; FROM: 3-1-41060-0001 (General Fund) \$18,000.00 TO: 4-023-060010-6301 (School-Transportation) \$18,000; Weber/Crittenden

Propane: To pay propane fuel bills for remainder of year; FROM: 3-1-41060-0001 (General Fund) \$11,000.00 TO: 4-023-060010-6305 (School-Operation & Maintenance) \$11,000; Miller/Weber

Truancy/Safe Schools: State grant awarded; FROM: 3-023-24020-1900 (Truancy/Safe Schools Grant) \$8684.00 TO: 4-023-060010-6210 (School-Instruction) \$8684; Miller/Weber

Dollar General Corporation - Grant for support of GED Program: State grant awarded; FROM: 3-023-18990-0004 (Miscellaneous Revenue) \$1000.00 TO: 4-023-060010-6210 (School-Instruction) \$1000; Miller/Crittenden

Goals 2000 for classroom computers and related technologies: State grant awarded; FROM: 3-023-033020-5000 (Goals 2000 Grant) \$11361.00 TO: 4-023-060010-6210 (School-Instruction) \$11361; Weber/Miller

Goals 2000 for in-service training: State grant awarded; FROM: 3-023-033020-5000 (Goals 2000 Grant) \$620.00 TO: 4-023-060010-6210 (School-Instruction) \$620; Weber/Miller

**Construction/Renovations** - Bids have been sent out for elementary school construction. All members were encouraged to attend presentation of newest high school proposal to the School Board.

## **APPOINTMENTS**

No action was taken regarding appointments to the Board of Zoning Appeals, Department of Social Services or Industrial Development Authority. Assistant Administrator, Marcia Jones, was asked to continue as temporary appointment on the Regional Jail Board.

## **REQUEST FOR REFUNDS**

### ***Temporary Mobile Home Bond:***

The motion granting the release of a \$500.00 temporary manufactured home surety posted by Gary McFerrin under Zoning Permit 5-95-038 was made by Mr. Crittenden, seconded by Mr. Miller and carried unanimously. In 1995, cash sureties were deposited in the general fund and therefore Board approval is required for the refund. This policy has been changed and these sureties are now held by the Treasurer for release at the request of the Planning Director.

### ***Refund of Rezoning Application Fee:***

Mr. Soberick advised the Board that there is no authority for the Board of Supervisors to grant the refund or waiving of a rezoning application fee. If the applicant believed that the rezoning was necessary to correct an error in the maps, then the Board should have been advised by the Planning Department and the County could then sponsor the application. The Planning Department did not believe there was an error in this case.

Mr. Miller made the motion to refund the application fee; there was no second to the motion. The motion to deny the request was made by Mrs. Weber, seconded by Mr. Williams and carried by vote of 3-1, with Mr. Miller opposed.

## **WORKERS' COMPENSATION INSURANCE**

Mr. Culley advised the Board that the Virginia Association of Counties Insurance Programs has offered a savings of approximately \$1465 to the County for workers compensation insurance. The Virginia Municipal League currently provides this coverage. An additional discount of \$1200 will be provided to the County as a multi-plan discount if VACorp provides this coverage along with the property and general liability coverage already provided. The Department of Social Services has also expressed an interest in moving their insurance requirements to the VACorp Plan. The

motion to participate in the VACorp workers' compensation plan was made by Mr. Crittenden, seconded by Mr. Miller, and carried unanimously.

### **SPORTS COMPLEX**

No action was taken at this time regarding a grant application for a lighting project at the Sports Complex. Action would be taken later in the meeting.

### **REDISTRICTING**

Mr. Culley presented the Board with two proposals for realigning the county's election districts based on the 2000 census. Census data indicates a total population of 9,932, with a shift in population growth to the east, requiring an adjustment in the district lines to divide the population and prevent further dilution of the minority population. Both proposals show the same proposed line between the Jamaica and Saluda Districts. Proposal 1 shifts the Saluda/Pinetop line east around Route 33. Proposal 2 would shift the dividing line from Locklies Creek to Mill Creek.

The motion to advertise both proposals for the April 17<sup>th</sup> meeting was made by Mr. Miller, seconded by Mr. Crittenden and carried unanimously.

### **FY 02 BUDGET**

Mr. Culley summarized the proposed County budget as presented at the budget public hearing. The proposal includes a 7% increase for County employees, is based on a 3-cent tax increase; includes \$62,696 for additional school employee increases, making the total local money for schools \$512,662.

The motion to increase the real estate and mobile home tax rates to \$0.54, a two-cent tax increase, was made by Mrs. Weber and seconded by Mr. Williams. The vote that followed was 2 for, 2 opposed. The motion to increase the real estate and mobile home tax rates to \$0.55, a three-cent increase, was made by Mr. Miller and seconded by Mr. Crittenden. This vote also ended in a tie vote, 2-2. Mr. Culley advised the Board of the approaching June 5 deadline for tax payments. The Commissioner requires approximately one (1) month to prepare the bills for distribution.

The motion to approve the School Operations Fund budget in the amount of \$5,317,810.00 and the School Textbook Fund in the amount of \$47,651.00, was made by Mr. Crittenden, seconded by Mr. Miller and carried unanimously.

Mrs. Weber expressed her desire that funds generated by the proposed tax increase be put into a special fund for capital improvements, such as school or courthouse construction. Mr. Culley advised that a line item had been created in the

capital budget for the funds. Mrs. Weber also expressed her desire that raises for County employees be set at 4%.

Mr. Crittenden commented that Mrs. Weber was only concerned with the proposed increase to the Assistant Administrator, whose increase was proposed by the Chairman of the Board. Mr. Williams noted that he had reviewed the pay study prepared in 1995, and all the employees, with the exception of the Assistant Administrator, are at the top of the scale or above. The current budget includes funds to raise this position to the top of the scale with an additional 3% increase. Mr. Crittenden presented salaries for assistant administrators of surrounding counties that were all higher than the salary proposed. Mr. Miller suggested that the pay study be updated, and steps taken to treat all employees the same. Mr. Williams added that he would possibly support a future funding request from the Sheriff to hire additional help for the summer.

Support was expressed for setting money aside so that the County does not have to borrow as much money for the upcoming projects. Mr. Culley noted that at the public hearing he did not hear anyone requesting that the proposed tax rate be lowered; there were some that requested it be increased more than proposed. Mr. Culley re-stated that revenue from the tax increase is proposed for placement in a separate line of the Capital Improvement Fund.

***General Fund Budget:***

The motion to adopt the 2001-2002 General Fund Budget in the amount of \$12,835,557, which includes the School Operations Fund and Textbook Funds already adopted was made by Mr. Crittenden, seconded by Mr. Miller and carried unanimously.

***Capital Improvement Fund 049 Budget***

The motion to approve the 2001-2002 Capital Improvement Fund budget in the amount of \$257,020.00, was made by Mr. Miller, seconded by Mr. Crittenden and carried unanimously.

***E-911 Budget:***

The motion to adopt the 2001-2002 E911 Fund Budget in the amount of \$376,578.00 was made by Mr. Miller, seconded by Mr. Crittenden and carried unanimously.

***Tax Rates:***

The motion to set the following tax rates for 2001-2002 was made by Mr. Crittenden, seconded by Mr. Miller and carried unanimously:

Real Estate	\$0.55
Personal Property	\$3.50
Mobile Home	\$0.55

Machinery & Tools	\$3.50
Merchants Capital	\$1.25

***Appropriation Resolution:***

The motion to adopt the following Appropriation Resolution was made by Mr. Miller, seconded by Mr. Crittenden and carried unanimously:

***Appropriation Resolution:***

**2001 2002 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 2001 2002 be approved and appropriations for the General Fund be made as follows:

**COUNTY GENERAL FUND APPROPRIATIONS**

	<b><u>FY 01-02 Budget</u></b>
10010 <u>Total Capital Outlay</u>	390,977.00
10020 <u>Total County Airport</u>	112,095.00
11010 <u>Total Board Of Supervisors</u>	76,651.00
12010 <u>Total County Administrator</u>	197,635.00
12040 <u>Total Legal Services</u>	45,400.00
12080 <u>Total Independent Auditor</u>	20,000.00
12090 <u>Total Commissioner of Revenue</u>	180,339.00
12100 <u>Total Assessor</u>	30,000.00
12130 <u>Total Treasurer</u>	201,745.00
12190 <u>Total Insurance/Risk Management</u>	72,000.00
12200 <u>Total Data Processing</u>	70,400.00
13010 <u>Total Electoral Board</u>	21,642.00
13020 <u>Total Registrar</u>	41,750.00
21010 <u>Total Circuit Court</u>	29,411.00
21020 <u>Total General District Court</u>	9,600.00
21030 <u>Total Juv&amp;Dom Rel Ct Services Unit</u>	16,050.00
21040 <u>Total Magistrate</u>	6,575.00
21050 <u>Total Merrimac Center</u>	27,003.00
21060 <u>Total Circuit Court Clerk</u>	158,298.00
21100 <u>Total Juvenile Court</u>	7,713.00

22010	<u>Total Commonwealth's Attorney</u>	79,871.00
31020	<u>Total Sheriff</u>	764,408.00
31030	<u>Total Town Police</u>	41,160.00
31050	<u>Total County Deputy</u>	35,882.00
31070	<u>Total School Crossing Guards</u>	11,845.00
32010	<u>Total Volunteer Fire Departments</u>	119,680.00
32030	<u>Total Rescue Squads</u>	77,912.00
33010	<u>Total Regional Jail</u>	621,644.00
34010	<u>Total Building Inspector</u>	118,247.00
35010	<u>Total Animal Control</u>	43,036.00
35030	<u>Total Medical Examiner</u>	500.00
36050	<u>Total Emergency Services</u>	13,700.00
36090	<u>Total E911(Transfer from E911 Fund)</u>	592,132.00
42020	<u>Total Street &amp; Road Cleaning</u>	500.00
42030	<u>Total Convenience Centers</u>	87,987.00
42060	<u>Total Refuse Disposal</u>	3,000.00
42070	<u>Total VPPSA</u>	651,111.00
43020	<u>Total General Properties</u>	263,954.00
43040	<u>Total Holly Point</u>	2,500.00
43050	<u>Total Canoe House Landing</u>	3,000.00
51010	<u>Total Health</u>	137,947.00
51050	<u>Total Hospitals</u>	200.00
52010	<u>Total Mental Health</u>	23,000.00
53010	<u>Total Welfare</u>	949,970.00
53050	<u>Total Chesapeake Bay Agency On Aging</u>	30,000.00
53060	<u>Total Disabilities Services Board</u>	2,000.00
53090	<u>Total Virginia Housing Development</u>	950.00
53100	<u>Total Vocational Rehab. Centers</u>	4,793.00
53120	<u>Total Gloucester-Mathews Humane</u>	6,000.00
53150	<u>Total Comprehensive Services</u>	415,000.00
60000	<u>Total Education</u>	10,163.00
63200	<u>Total VA School League Activities</u>	3,000.00
71010	<u>Total Parks &amp; Recreation</u>	36,668.00
71040	<u>Total Sports Complex</u>	26,250.00
72020	<u>Total Museum</u>	3,000.00
73020	<u>Total Regional Library</u>	72,935.00
81010	<u>Total Planning</u>	92,461.00
81040	<u>Total Zoning Administration</u>	53,272.00
81050	<u>Total Industrial Development Authority</u>	8,300.00
81060	<u>Total Board of Zoning Appeals</u>	5,350.00
81070	<u>Total Anniversary Committee</u>	1,500.00
82030	<u>Total Soil &amp; Water Conservation</u>	3,200.00
82040	<u>Total Environmental Enforcement/Wetlands</u>	44,822.00
82050	<u>Total Forestry Service</u>	2,492.00
83030	<u>Total Cooperative Extension Service</u>	32,450.00
99010	<u>Total Transfers Out</u>	5,622,481.00

**Total General Fund Expenses 12,835,557.00**

***Comment:***

Mrs. Weber noted that while she voted in favor of the General Fund Budget, she was opposed to a 7% increase for County employees.

**CLOSED MEETING**

The motion to conduct a closed meeting for the purpose of discussing personnel issues, pursuant to §2.1-344.a1, and contracts and consultation with legal counsel, pursuant to §2.1-344.a7 of the Code of Virginia, was made by Mr. Crittenden, seconded by Mr. Miller and carried unanimously. Upon reconvening in open session, the following motion was made by Mrs. Weber, 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.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:

As a result of the Closed Meeting, the motion to nominate Wayne Jessie, Sr., to fill the vacant Jamaica District seat on the Board of Supervisors, until December 31, 2001, and requesting a special election to be held in November to elect a representative, was made by Mr. Miller, seconded by Mrs. Weber and carried unanimously.

**ADDITIONAL DISBURSEMENT**

Mrs. Jones requested the Board's approval of an additional disbursement request filed by the Sheriff's Department for courtroom security. The motion to approve payment in the amount of \$453.75 was made by Mr. Miller, seconded by Mrs. Weber and carried unanimously.

**SPORTS COMPLEX LIGHTING GRANT**

Mrs. Weber advised that last year's grant application was for a total project cost of \$126,000, with a cap of \$50,000 to be provided from local sources.

Mr. Fleet was not available to present the request for this year's application, however, it was noted that funding was being made available on a first-come basis, making it imperative that the application not be delayed. The motion to apply for a maximum of \$126,000, with the understanding that the Sports Complex Committee

would be willing to raise \$30,000, leaving the County to match \$30,000, was made by Mrs. Weber, seconded by Mr. Williams and carried unanimously. It was noted that the County can deny the award if the funding scenario is not acceptable.

**ADJOURN**

There being no further business, the meeting was adjourned until the regular scheduled meeting on April 17, 2001.

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Kenneth W. Williams, Chairman  
Board of Supervisors