

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, MAY 1, 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
Wayne Jessie, Sr., Jamaica District

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

Absent: Lenora O. Weber, Saluda District

CALL TO ORDER

The Chairman, Mr. Williams, called the meeting to order at 9:00 a.m. and opened with a prayer. Mr. Williams noted that Mrs. Weber was absent due to illness.

MINUTES

One correction was made to the minutes of the April 17th meeting, changing the heading for discussion by property owners of Wilton Creek from New Business to Old Business. The motion to approve the minutes as presented for April 3rd and as corrected for April 17th was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

DISBURSEMENTS

The motion to approve the disbursements as presented was made by Mr. Miller, seconded by Mr. Crittenden and carried unanimously. Checks numbered 38530 through 38651 totaling \$109,223.50 were disbursed as approved.

PAYROLL

The motion to approve payroll for the month of April was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously. Checks numbered 38393 through 38529 totaling \$155,244.43 were disbursed as approved.

COMMITTEE REPORTS

Mr. Miller: No reports

Mr. Jessie: No reports

Mr. Crittenden:

- Airport Committee - no report
- Planning District Commission - No vote was taken regarding continuing with a proposal for regional reassessment. Gloucester County needs to make a decision regarding their participation; if Gloucester participates on a two-year cycle they would pay a greater portion of the expenses. Without Gloucester County, it would not be feasible to have a regional reassessment.

Additional monies have been received for the loan program, however, no money has been lent out.

Mr. Williams: No report.

Mr. Culley:

- Communications Committee - Environmental approval has been received for the Jamaica and Saluda tower sites; a decision on the Hartfield site is expected within the week. Groundbreaking should commence soon; towers have been ordered and manufactured. The County parking area will be used for staging the Saluda tower. The Jamaica Convenience Center will have to close for approximately two weeks while construction of the tower for that site is in progress. Advance notice will be provided to the public; Administration will research alternatives for providing continued disposal service to citizens who normally would use that site.

CONSTITUTIONAL OFFICERS

Sheriff: The Sheriff advised that three people have volunteered for a Reserve Officer program. These officers would carry no weapon and would have no arrest power. They will be used to provide security checks and assist with traffic control at accidents or fire scenes and rescue calls. Administration will check to see if Workers' Compensation Insurance is a requirement if there is no compensation to these workers.

Treasurer: The first half tax bills are being disbursed, amounting to \$2.4 million of the total \$4.9 million in projected revenue. The sale of dog tags has increased since a recent notice appeared in the newspaper. Animal control officials will be increasing their patrols for unlicensed animals.

Commissioner of Revenue:

Blake Property - Mrs. Ebinger advised that the Treasurer was holding the tax bill for property condemned by the Court for the School Board. By law, the owner of record on January 1 is to receive the tax bill; because there was no deed transfer to the School Board for the property prior to January 1st, the bill should be sent to the Blake's. Mr. Soberick noted that if a Certificate of Take was recorded prior to January 1, that would suffice. Mr. Soberick left the meeting to research the property transfer in the Record Room.

Montgomery County - Mrs. Ebinger advised the Board that Montgomery County was appealing a recent State Supreme Court decision regarding the movement of personal property "normally garaged" in a taxing county to a non-taxing county prior to January 1 and returning it back to a taxing county after January 1, for the purpose of avoiding merchant's capital or personal property taxes. This ruling could have a significant impact on revenue for the County. The Board agreed that they would support a re-write of Section 58.1 of the State Code to further define "normally garaged".

Personal Property Tax Relief Act - Mrs. Ebinger advised that language contained in Item 281 of Senate Bill 5 will create a significant increase of workload and space needs for personal property records and proposed certificates, along with the possibility to cost the County significant amounts of revenue. As proposed, this Senate Bill will require the County to update software programs to obtain information that could more easily be obtained from the Department of Motor Vehicles. Mrs. Ebinger was asked to draft a letter for the Board's endorsement to be sent to Senator Bolling, the Virginia Municipal League and the Virginia Association of Counties.

HIGHWAY MATTERS

Surface Treatment Schedule:

Resident Engineer, Marcie Parker, presented the Board with a schedule for surface treatment of primary and secondary roads in the County.

Route 3: Jamie Surface informed the Board that a traffic engineering study had been requested in the area of the airport and Route 621. Mr. Surface advised the board that they may wish to request money for a turn lane during pre-allocation hearings. Mr. Culley reminded the Board that the widening of Route 33 at Route 620 to accommodate school buses should still be the main priority. Mr. Surface will check on the status of the Board's request for improvements in this area from last year and either report back to Mr. Culley, or would report to the Board at the June 5th meeting.

Route 629: Replacement of the bridge should be completed by June.

Route 612 and Road to Cedar Point Subdivision: Water in the road continues to be a problem at both these locations. According to Mr. Surface, VDOT has been working on design issues to provide a solution for the drainage problem on Route 612; this is closer to resolution. Beavers are the probable cause for water on the road to Cedar Point; the maintenance department will be working on a solution there.

Eltham Bridge: Mrs. Parker advised the Board to expect delays at the Eltham Bridge as the opening mechanism is changed from a hydraulic to an electrical system. The contractor will be opening and closing the bridge manually, which could take a minimum of 30 minutes.

Whiting Creek Roads: The motion to adopt the following resolution transferring the right of way for roadway improvements within the Whiting Creek Subdivision was made by Mr. Crittenden, seconded by Mr. Miller and carried unanimously:

RESOLUTION

WHEREAS, *Whiting Creek Property Owner's Association has recorded a deed at Deed Book 319 Page 843 and 844, deeding Whiting Creek Drive, Heron Court, Egret Point Drive, Orchard Cove Road, Bob White Lane and Osprey Lane, in Whiting Creek Subdivision, to the County of Middlesex; and*

WHEREAS, *the streets described in the plat reference above and on the attached Additions Form SR-5(A), fully incorporated herein by reference, is shown on plats recorded at Plat Book 10, Pages 175-177, inclusive and Plat Book 10, Pages 96-99, inclusive, in the Clerk's Office of the Circuit Court of Middlesex County, Virginia, and*

WHEREAS, *the Virginia Department of Transportation has advised this Board that the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation;*

NOW, THEREFORE, BE IT RESOLVED, *that the Board of Supervisors of Middlesex County does hereby request the Virginia Department of Transportation to add the streets described on the attached Additions Form SR-5(A) to the secondary system of state highways, pursuant to §33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and*

BE IT FURTHER RESOLVED, *this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and;*

BE IT FURTHER RESOLVED, *that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.*

SCHOOL MATTERS

There was no one present from the School System.

APPOINTMENTS

Board of Zoning Appeals: The motion to recommend Mr. Thomas Gilbert for reappointment to the Board of Zoning Appeals was made by Mr. Crittenden, seconded by Mr. Miller and carried unanimously.

Social Services Board: The motion to appoint Mrs. Elizabeth Anderson to fill the seat vacated by Mrs. Katherine Amy was made by Mr. Jessie, seconded by Mr. Miller and carried unanimously. This term will expire on June 30, 2001.

Industrial Development Authority: The motion to appoint Mr. Claude "Buck" Boyd to the seat previously held by Frank Johnson was made by Mr. Crittenden, seconded by Mr. Miller and carried unanimously. This term will run be effective from February 1, 2001 to January 31, 2005.

Appointments by Chairman: Mr. Williams appointed Mr. Jessie to fill the positions previously held by his father on the Airport Committee and Social Services Board.

LAND USE TAX ORDINANCE

The motion to advertise for a public hearing to consider revisions to the County's land use taxation ordinance was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

WEST NILE VIRUS

Dr. Daniel Warren, Acting Director of the Three Rivers Health District, made a presentation on the West Nile Virus.

REDISTRICTING

Discussion continued from the April 17th meeting regarding the two proposals presented. Mr. Miller commented that he favored Proposal 1 and made a motion, which was seconded by Mr. Crittenden, to adopt the election district and precinct ordinances for Proposal 1. Mr. Soberick reminded the Board that a dissenting vote by a minority Board member could delay adoption of the proposal by the Department of Justice. Mr. Jessie commented that although he realized both proposals showed the same proposed line for the minority district, he favored adoption of Proposal 2 because of comments presented by citizens at the April 17th hearing. The motion carried by a vote of three (3) in favor (Crittenden, Miller, Williams), one (1) opposed (Jessie), with Mrs. Weber absent.

AN ORDINANCE PROVIDING FOR THE APPORTIONMENT OF MEMBERS OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS, ESTABLISHING BOUNDARY LINES OF THE ELECTION DISTRICTS, NAMING EACH ELECTION DISTRICT, AND REPEALING THE PRIOR ORDINANCE

BE IT ORDAINED by the Middlesex County Board of Supervisors:

Section 1: All of that ordinance known as "An Ordinance to Provide for the Apportionment of Members of County Board of Supervisors, to Establish Boundary Lines of the Magisterial Districts and to Name Each Magisterial District," adopted on April 22, 1991, is hereby repealed.

Section 2: Pursuant to authority contained in Sections 24.2-304.1 of the Code of Virginia (1950), as amended, the election districts of Middlesex County, Virginia are hereby created and established as set forth in this Ordinance.

Section 3: This Ordinance shall become effective May 1, 2001.

Section 4: The Election Districts with populations set forth are as follows:

| DISTRICTS | POPULATION |
|----------------------------------|-------------------|
| <i>Jamaica Election District</i> | 1984 |
| <i>Saluda Election District</i> | 3940 |
| <i>Pinetop Election District</i> | 4008 |
| TOTAL | 9932 |

Section 5: The boundaries of the respective election districts shall be set forth below:

JAMAICA ELECTION DISTRICT

The boundary between the Jamaica Election District and the Saluda Election District shall begin at a point of intersection with the centerline of LaGrange Creek and Private Road LaGrange Lane; thence South along the centerline of LaGrange Lane to its intersection with Private Road Sun Beau Circle; a distance of 0.2 mile; thence South along the centerline of Private Road Sun Beau Circle to its intersection with Private Road Racetrack Road; a distance of 0.38 mile; thence in a northerly direction along the centerline of Private Road Racetrack Road to its intersection with Private Road Sunderland Creek Road; a distance of 0.7 mile; thence South along the centerline of Private Road Sunderland Creek Road to its intersection with State Route 676; a distance of 0.51 mile; thence in a southwesterly direction along the centerline of State Route 676 to the intersection with State Route 602; a distance of 0.87 mile; thence in a southeasterly direction along the centerline of State Route 602 to its intersection with State Route 1011; a distance of 2.14 miles; thence South along the centerline of State Route 1011 to the intersection with an unnamed road; a distance of 0.67 mile; thence in an easterly direction along the centerline of the unnamed road to its intersection with an unnamed road; a distance of 0.11 mile; thence in a northwesterly direction along the centerline of the unnamed road to its intersection with an unnamed road; a distance of 0.05 mile; thence South along the centerline of the unnamed road to its intersection with the centerline of Urbanna Creek; thence west along the centerline of Urbanna Creek to its intersection with the Centerline of Glebe Swamp; thence West along the centerline of Glebe Swamp to its intersection with State Route 616; thence in a southwesterly direction along the centerline of State Route 616 to its intersection with U.S Route 17; a distance of 1.16 miles; thence in a southeasterly direction along the centerline of U.S. Route 17 right-of-way to its intersection with State Route 665; thence in a southerly direction along the centerline of State Route 665 to its intersection with the centerline of an unnamed tributary of Dragon Swamp; thence South along the centerline of said tributary

to its intersection with the centerline of Dragon Swamp; thence in a northeasterly direction along the centerline of Dragon Swamp to its intersection with the Essex County/Middlesex County boundary; thence in a northwesterly direction along the Essex/Middlesex County Boundary to its intersection with the centerline of the Rappahannock River thence in a southeasterly direction along the centerline of the Rappahannock River to its intersection with the centerline of LaGrange Creek to the point of confluence of the North and South branches of LaGrange Creek at the point of beginning.

SALUDA ELECTION DISTRICT

The boundary between Saluda Election District and Jamaica Election District shall be that line hereinabove described as being the boundary between Jamaica Election District and Saluda Election District.

The western boundary of the Saluda district is as follows: Beginning at a point of intersection with the centerline of LaGrange Creek and Private Road LaGrange Lane; thence South along the centerline of Private Road LaGrange Lane to its intersection with Private Road Sun Beau Circle; a distance of 0.2 mile; thence South along the centerline of Private Road Sun Beau Circle to its intersection with Private Road Racetrack Road; a distance of 0.38 mile; thence in a northerly direction along the centerline of Private Road Racetrack Road to its intersection with Private Road Sunderland Creek Road; a distance of 0.7 mile; thence South along the centerline of Private Road Sunderland Creek Road to its intersection with State Route 676; a distance of 0.51 mile; thence in a southwesterly direction along the centerline of State Route 676 to the intersection with State Route 602; a distance of 0.87 mile; thence in a southeasterly direction along the centerline of State Route 602 to its intersection with State Route 1011; a distance of 2.14 miles; thence South along the centerline of State Route 1011 to the intersection with an unnamed road; a distance of 0.67 mile; thence in an easterly direction along the centerline of the unnamed road to its intersection with an unnamed road; a distance of 0.11 mile; thence in a northwesterly direction along the centerline of the unnamed road to its intersection with an unnamed road; a distance of 0.05 mile; thence South along the centerline of the unnamed road to its intersection with the centerline of Urbanna Creek; thence west along the centerline of Urbanna Creek to its intersection with the Centerline of Glebe Swamp; thence West along the centerline of Glebe Swamp to its intersection with State Route 616; thence in a southwesterly direction along the centerline of State Route 616 to its intersection with U.S Route 17; a distance of 1.16 miles; thence in a southeasterly direction along the centerline of U.S. Route 17 right-of-way to its intersection with State Route 665; thence in a southerly direction along the centerline of State Route 665 to its intersection with the centerline of an unnamed tributary of Dragon Swamp; thence South along the centerline of said tributary to its intersection with the centerline of Dragon Swamp; thence in a southeasterly direction along the centerline of the Dragon Run Swamp to its intersection with the centerline of a Dominion/Virginia Power electrical power transmission line; thence in a northeasterly direction along the Dominion/Virginia Power electrical power transmission line to its point of intersection with State Route 629; thence in a southeasterly direction along the centerline of State Route 629 to its intersection with State Route 707; a distance of 2.10 miles; thence in a northerly direction along the centerline of State Route 707 to its intersection with State Route 33; a distance of 0.26 mile; thence in a northerly direction along the centerline of State Route 33 to its intersection with State Route 625; a distance of 0.5 mile; thence East along the centerline of State Route 625 to its intersection with State Route 624, commonly known as Regent Road; a distance of 1.37 miles; thence North along the centerline of State Route 624 to its intersection with State Route 624, commonly known as Syringa Road; a distance of 0.24 mile; thence in a northwesterly direction along the centerline of State Route 624 (Syringa Road) to its intersection with State Route 3; a distance of 1.21 mile; thence in a northeasterly direction along the centerline of State Route 3 to its intersection with State Route 622; a distance of 1.15 miles; thence South along the centerline of State Route 622 to its intersection with the centerline of Locklies Creek; a distance of 0.52 mile; thence East along the centerline of Locklies Creek to its intersection with the centerline of the Rappahannock River; thence in a northeasterly direction along the centerline of the Rappahannock River to its intersection with the centerline of LaGrange Creek; thence in a northwesterly direction along the centerline of LaGrange Creek to its intersection with Private Road LaGrange Lane at point of beginning.

PINETOP ELECTION DISTRICT

The boundary between Pinetop Election District and Saluda Election District shall be that line hereinabove described as being the boundary between Saluda Election District and Pinetop Election District.

The northern boundary of Pinetop Election District shall be the Rappahannock River; the eastern boundary shall be the Chesapeake Bay; and the southern boundary shall be the Gloucester County and Mathews County lines.

Section 6: *One (1) supervisor shall be elected from Jamaica Election District; two (2) supervisors shall be elected from Saluda Election District; and two (2) supervisors shall be elected from Pinetop Election District as created by this Ordinance.*

Section 7: *Should any section or provision of this Ordinance be declared to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.*

Adopted on May 1, 2001, following a duly advertised public hearing, on a motion by Mr. Miller seconded by Mr. Crittenden and carried.

Present and voting:

| | |
|----------------------------|------------|
| <i>Kenneth W. Williams</i> | <i>aye</i> |
| <i>Fred S. Crittenden</i> | <i>aye</i> |
| <i>John D. Miller, Jr.</i> | <i>aye</i> |
| <i>Wayne Jessie, Sr.</i> | <i>nay</i> |

Absent:

Lenora O. Weber

ORDINANCE TO PROVIDE FOR PRECINCTS, TO ESTABLISH BOUNDARY LINES OR PRECINCTS, TO NAME EACH PRECINCT AND TO ESTABLISH A POLLING PLACE FOR EACH PRECINCT IN MIDDLESEX COUNTY, VIRGINIA

BE IT ORDAINED by the Middlesex County Board of Supervisors:

Section 1: All of that ordinance known as "An Ordinance to Provide for Precincts, to Establish Boundary Lines of Precincts, to Name Each Precinct and to Establish a Polling Place for each Precinct," adopted as amended March 4, 1997 is hereby repealed.

Section 2: Pursuant to authority contained in Sections 24.1-37 through 24.1-40 of the Code of Virginia (1950), as amended, the precincts and their respective polling places for Middlesex County, Virginia are hereby created and established as set forth in this Ordinance.

Section 3: This Ordinance shall become effective May 1, 2001.

Section 4: The precincts for each election district and the polling place for each precinct shall be as set forth below:

| DISTRICTS AND PRECINCTS | LOCATION OF POLLING PLACE |
|----------------------------------|----------------------------------|
| Jamaica Election District | |
| <i>Immanuel Precinct</i> | <i>Church View</i> |
| <i>Water View Precinct</i> | <i>Water View</i> |
| Saluda Election District | |
| <i>Urbanna Precinct</i> | <i>Urbanna</i> |
| <i>Saluda Precinct</i> | <i>Saluda</i> |
| <i>Harmony Village Precinct</i> | <i>Topping</i> |
| Pinetop Election District | |
| <i>Freeshade Precinct</i> | <i>Syringa</i> |
| <i>New Market Precinct</i> | <i>Deltaville</i> |

Section 5: The boundaries and polling places of the respective precincts are as set forth below:

IMMANUEL PRECINCT

The Immanuel Precinct shall consist of that part of the Jamaica Election District described as follows: Beginning at a point of intersection with the centerline of LaGrange Creek and Private Road LaGrange Lane; thence South along the centerline of Private Road LaGrange Lane to its intersection with Private Road Sun Beau Circle; a distance of 0.2 mile; thence South along the centerline of Private Road Sun Beau Circle to its intersection with Private Road Racetrack Road; a distance of 0.38 mile; thence in a northerly direction along the centerline of Private Road Racetrack Road to its intersection with Private Road Sunderland Creek Road; a distance of 0.7 mile; thence South along the centerline of Private Road Sunderland Creek Road to its intersection with State Route 676; a distance of 0.51 mile; thence in a southwesterly direction along the centerline of State Route 676 to the intersection with State Route 602; a distance of 0.87 mile; thence in a southeasterly direction along the centerline of State Route 602 to its intersection with State Route 1011; a distance of 2.14 miles; thence South along the centerline of State Route 1011 to the intersection with an unnamed road; a distance of 0.67 mile; thence in an easterly direction along the centerline of the unnamed road to its intersection with an unnamed road; a distance of 0.11 mile; thence in a northwesterly direction along the centerline of the unnamed road to its intersection with an unnamed road; a distance of 0.05 mile; thence South along the centerline of the unnamed road to its intersection with the centerline of Urbanna Creek; thence west along the centerline of Urbanna Creek to its intersection with the Centerline of Glebe Swamp; thence West along the centerline of Glebe Swamp to its intersection with State Route 616; thence in a south westerly direction along the centerline of State Route 616 to its intersection with U.S Route 17; a distance of 1.16 miles; thence in a southeasterly direction along the centerline of U.S. Route 17 right-of-way to its intersection with State Route 665; thence in a southerly direction along the centerline of State Route 665 to its

intersection with the centerline of an unnamed tributary of Dragon Swamp; thence South along the centerline of said tributary to its intersection with the centerline of Dragon Swamp; thence in a northwesterly direction along the centerline of Dragon Swamp to its intersection with the centerline of State Route 602; thence East along the centerline of State Route 602 to its intersection with State Route 607; thence in a northeasterly direction along the centerline of State Route 607 to its intersection with State Route 606; a distance of 1.45 miles; thence East along the centerline of State Route 606 to its intersection with U.S. Route 17; a distance of 1.35 miles; thence South along the centerline of U.S. Route 17 to its intersection with State Route 602; a distance of 2.84 miles; thence East along the centerline of State Route 602 to its intersection with State Route 610; a distance of 0.62 mile; thence in a north easterly direction along State Route 610 to its intersection with the South branch of LaGrange Creek; a distance of 1.21 miles; thence East along the centerline of the South branch of LaGrange Creek to the point of confluence of the North and South branches of LaGrange Creek; thence in a southeasterly direction along the centerline of LaGrange Creek to its intersection with the centerline of Private Road LaGrange Lane at the point of beginning.

The polling place for the Immanuel Precinct shall be the Dragon Run Inn Bed and Breakfast, on State Route 602, in Middlesex County.

WATER VIEW PRECINCT

The Water View Precinct shall consist of the remainder of the Jamaica Election District. It shall be bounded on the South by the line separating Water View Precinct and Immanuel Precinct; on the West by the Dragon Run Swamp; on the North by the boundary with Essex County; and on the east by the Rappahannock River.

The polling place for the Water View Precinct shall be the Water View Firehouse on State Route 640.

URBANNA PRECINCT

The Urbanna Precinct shall consist of that part of Saluda Election District described as follows: Beginning at a point of intersection with the centerline of LaGrange Creek and Private Road LaGrange Lane; thence South along the centerline of Private Road LaGrange Lane to its intersection with Private Road Sun Beau Circle; a distance of 0.2 mile; thence South along the centerline of Private Road Sun Beau Circle to its intersection with Private Road Racetrack Road; a distance of 0.38 mile; thence in a northerly direction along the centerline of Private Road Racetrack Road to its intersection with Private Road Sunderland Creek Road; a distance of 0.7 mile; thence South along the centerline of Private Road Sunderland Creek Road to its intersection with State Route 676; a distance of 0.51 mile; thence in a southwesterly direction along the centerline of State Route 676 to the intersection with State Route 602; a distance of 0.87 mile; thence in a southeasterly direction along the centerline of State Route 602 to its intersection with State Route 1011; a distance of 2.14 miles; thence South along the centerline of State Route 1011 to the intersection with an unnamed road; a distance of 0.67 mile; thence in an easterly direction along the centerline of the unnamed road to its intersection with an unnamed road; a distance of 0.11 mile; thence in a northwesterly direction along the centerline of the unnamed road to its intersection with an unnamed road; a distance of 0.05 mile; thence South along the centerline of the unnamed road to its intersection with the centerline of Urbanna Creek; thence in a northeasterly direction along the centerline of Urbanna Creek to its intersection with the centerline of the Rappahannock River; thence in a north easterly direction to its intersection with LaGrange Creek; thence in a northwesterly direction along the centerline of LaGrange Creek to its point of intersection with the centerline of Private Road LaGrange Lane at point of beginning.

The polling place for the Urbanna Precinct shall be the Middlesex Volunteer Fire Department Building in Urbanna.

SALUDA PRECINCT

The Saluda Precinct shall consist of that part of the Saluda Election District described as follows: beginning at a point in the mouth of Urbanna Creek; thence along the center of Urbanna Creek to its intersection with the centerline of Glebe Swamp; thence East along the centerline of Glebe Swamp to its intersection of State Route 616; thence in a southwesterly direction along the centerline of State Route 616 to its intersection with U.S. Route 17, a distance of 1.15 miles; thence in a southeasterly direction along the center line of the U. S. Route 17 right-of-way to its intersection with State Route 665; thence in a southerly direction along the center line of State Route 665 to its intersection with an unnamed tributary of Dragon Swamp; thence along said tributary to Dragon Swamp; thence in a southeasterly direction along the center of Dragon Swamp and Piankatank River to a Virginia Power electric power transmission line which forms part of the boundary between Saluda Election District and Pinetop Election District; thence in a northerly direction along State Route 629; thence in a northwesterly direction along the center line of State Route 629 to its intersection with State Route 619; thence along the centerline of State Route 619 to its intersection with State Route 33; thence in an easterly direction along the center line of State Route 33 to its intersection with an unnamed tributary of Whiting Creek, 1400' east of the intersection State Route 696 and State Route 33; thence in a northerly direction along said tributary to Whiting Creek and continuing to the mouth of Whiting Creek thence along the Rappahannock River to the mouth of Urbanna Creek.

The polling place for Saluda Precinct shall be in the gymnasium of the old St. Clare Walker School, Cooks Corner Office Complex, on Route 33, Cooks Corner.

HARMONY VILLAGE PRECINCT

The Harmony Village precinct shall consist of that part of Saluda Election District not included in Urbanna Precinct or Saluda Precinct. Beginning at a point in the mouth of Locklies Creek; thence in a westerly direction along the centerline of Locklies Creek to its intersection with State Route 622; thence in a northwesterly direction along the centerline of State Route 622 to its intersection with State Route 3; a distance of 0.52 mile; thence in a southwesterly direction along the centerline of State Route 3 to its intersection with State Route 624, commonly known as Syringa Road; a distance of 1.15 miles; thence in a southeasterly direction along the centerline of State Route 624 (Syringa Road) to its intersection with State Route 624, commonly known as Regent Road; a distance of 1.21; thence South along the centerline of State Route 624 (Regent Road) to its intersection with State Route 625; a distance of 0.24 mile; thence West along the centerline of State Route 625 to its intersection with State Route 33; a distance of 1.37 miles; thence in a southerly direction along the centerline of State Route 33 to its intersection with State Route 707; a distance of 0.5 mile; thence in a southerly direction along the centerline of State Route 707 to its intersection with State Route 629; a distance of 0.26 mile; thence in a northwesterly direction along the centerline of State Route 629 to its intersection with State Route 619; a distance of 2.56 miles; thence North along the centerline of State Route 619 to its intersection with State Route 33; a distance of 1.94 miles; thence in a southeasterly direction along the centerline of State Route 33 to its intersection with an unnamed road; a distance of 0.28 mile; thence in a northerly direction along the centerline of the unnamed road to its intersection with the centerline of the West branch of Whiting Creek; thence in a northerly direction along the centerline of Whiting Creek to the point of confluence of the East and West branches of Whiting Creek; thence North along the centerline of Whiting Creek to the centerline of the Rappahannock River; thence in a easterly direction along the centerline of the Rappahannock River to it intersection with the centerline of Locklies Creek; thence in a southwesterly direction along the centerline of Locklies Creek at point of beginning.

The polling place for Harmony Village Precinct shall be in the Pilot House Inn at Topping.

FREESHADE PRECINCT

The western boundary of Freeshade Precinct shall be the boundary between Pinetop Election District and Saluda Election District; the northern boundary shall be the Rappahannock River; the southern

boundary shall be the Piankatank River; and the eastern boundary shall be a line separating Freeshade Precinct from new Market Precinct, described as follows: Beginning at a point in the mouth of Locklies Creek; thence in a westerly direction along the centerline of Locklies Creek to its intersection with State Route 622; thence in a northwesterly direction along the centerline of State Route 622 to its intersection with State Route 3; a distance of 0.52 mile; thence in a southwesterly direction along the centerline of State Route 3 to its intersection with State Route 624, commonly known as Syringa Road; a distance of 1.15 miles; thence in a southeasterly direction along the centerline of State Route 624 (Syringa Road) to its intersection with State Route 624, commonly known as Regent Road; a distance of 1.21; thence South along the centerline of State Route 624 (Regent Road) to its intersection with State Route 625; a distance of 0.24 mile; thence West along the centerline of State Route 625 to its intersection with State Route 33; a distance of 1.37 miles; thence in a southerly direction along the centerline of State Route 33 to its intersection with State Route 707; a distance of 0.5 mile; thence in a southerly direction along the centerline of State Route 707 to its intersection with State Route 629; a distance of 0.26 mile; thence in a northwesterly direction along the centerline of state Route 629 to its intersection with a Dominion/Virginia Power Transmission Line; a distance of 2.10 mile; thence in a southwesterly direction to its intersection with the centerline of the Piankatank River; thence in a southeasterly direction to its intersection with the centerline of Wilton Creek; thence North to its intersection with State Route 33; thence in a northeasterly direction along the centerline of State Route 33 to its intersection with State Route 628; a distance of 0.26 mile; thence North along the centerline of State Route 629 to its intersection with the centerline of the Rappahannock River; thence along the centerline of the Rappahannock River to its intersection with the centerline of Locklies Creek at point of beginning.

The polling place for Freeshade Precinct shall be in the Freeshade Community Center at Syringa.

NEW MARKET PRECINCT

The New Market Precinct shall consist of the remainder of Pinetop Election District. Begin at the point of intersection of State Route 628 and the Rappahannock River; thence South along the centerline of State Route 628 to its intersection with State Route 33; a distance of 2.29 miles; thence in a southwesterly direction along the centerline of State Route 33 to its intersection with Wilton Creek; a distance of 0.26 mile; thence South along the centerline of Wilton Creek to its intersection with the centerline of the Piankatank River; thence East along the centerline of the Piankatank River to its intersection with the centerline of the Chesapeake Bay; thence North along the centerline of the Chesapeake Bay to its intersection with the centerline of the Rappahannock River; thence East along the centerline of the Rappahannock River to its intersection with the centerline of State Route 628.

The polling place for New Market Precinct shall be the Lower Middlesex Volunteer Fire Department building in Deltaville.

Section 6: Should any section or provision of this Ordinance be declared to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

Present and voting:

| | |
|---------------------|-----|
| Kenneth W. Williams | aye |
| Fred S. Crittenden | aye |
| John D. Miller, Jr. | aye |
| Wayne Jessie, Sr. | nay |

Absent:

Lenora O. Weber

MULTIPLE SCLEROSIS AWARENESS MONTH

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

PROCLAMATION MULTIPLE SCLEROSIS AWARENESS MONTH

WHEREAS, approximately one third of a million Americans, including 10,000 Virginians, have multiple sclerosis, a chronic, often disabling and unpredictable autoimmune disease that currently has no known cause or cure; and

WHEREAS, in multiple sclerosis the body's immune system attacks and eats away the myelin, or protective insulation of nerve fibers, causing a short circuit and scars on the central nervous system; and

WHEREAS, symptoms of multiple sclerosis can include muscle stiffness or spasms, vision problems, memory loss, weakness, numbness or tingling, loss of bladder or bowel control, or poor balance and coordination; and

WHEREAS, the National Multiple Sclerosis Society, founded in 1946, has as its mission to end the devastating effects of multiple sclerosis; and

WHEREAS, the National Multiple Sclerosis Society is the largest private nonprofit funder of MS related research in the world; and

WHEREAS, anyone interested in more information about multiple sclerosis can contact the National Multiple Sclerosis Society at www.nationalmssociety.org or 1-800-FIGHT-MS; and

WHEREAS, the Central Virginia Chapter of the National Multiple Sclerosis Society educates and provides assistance to people with multiple sclerosis, their families, and healthcare professionals within 31 counties and four cities in Virginia, including Middlesex County,

NOW, THEREFORE BE IT RESOLVED: By the Middlesex County Board of Supervisors that the month of May, 2001, be proclaimed Multiple Sclerosis Awareness Month in Middlesex County.

SCHOOL BUDGET

The motion to adopt the following resolution, appropriating funds to the Middlesex County General School Fund Budget, was made by Mr. Crittenden, seconded by Mr. Miller and carried unanimously:

2000-2001 MIDDLESEX SCHOOL BUDGET APPROPRIATION RESOLUTION

WHEREAS, the Middlesex County Board of Supervisors has heretofore received a budget from the Middlesex County School Board; and

WHEREAS, the Middlesex County Board of Supervisors has held a public hearing for the School Board's Budget for fiscal year 2001-2002; and

WHEREAS, the Middlesex County Board of Supervisors has included funds in the County General Fund for School Operations Fund in the amount of \$5,317,810.00, and in the School's Textbook Fund of \$47,651.00, and

WHEREAS, the Middlesex County School Board has adopted a General School Fund Budget for the fiscal year 2002, and

NOW, THEREFORE, BE IT RESOLVED that the Middlesex County Board of Supervisors hereby appropriates to the following categories the Middlesex County General School Fund Budget:

| | |
|-------------------------------------|-----------------|
| Instruction | \$7,531,776.00 |
| Administration, Attendance & Health | \$505,914.00 |
| Pupil Transportation | \$665,587.00 |
| Operation & Maintenance | \$838,154.00 |
| Debt Service - Local Money | \$705,096.00 |
| Total School General Fund | \$10,246,527.00 |

BE IT FURTHER RESOLVED THAT the Middlesex County Board of Supervisors hereby appropriates to the School Food Fund, the School Textbook Fund, and the Capital Building Fund, the following amounts:

| | |
|--|--------------|
| School Food Fund | \$433,592.00 |
| Textbook Fund | \$84,219.00 |
| Capital Building Fund – State Funds - Debt Service | \$395,374.00 |

Mr. Culley noted that the School Board had forwarded a request for more debt service than was advertised for the public hearing with; he did not know a reason for this. The above amounts were the same that were presented to the public.

HEALTH DEPARTMENT REPAIRS

Mr. Culley presented two quotes received for replacement of the chiller unit installed in 1975 at the Health Department. The motion to accept the proposal submitted from Ryman's Heating and Air Conditioning for \$25,000 and appropriate the full \$25,000 for the repair was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously. The other quote received was from Crowther Heating and Air Conditioning for \$30,510. The existing unit will be replaced with a fiberglass water cooling tower. It has been estimated to take eight weeks for delivery.

NEW BUSINESS

Vested Rights Issue:

Mr. Culley presented a request from the Planning Director for direction in handling a vested rights issue regarding a business. It has been requested that a business, currently operated as a non-conforming use, be allowed to expand into a storage building on the same property. No action was taken by the Board. Mr. Crittenden noted that the Planning Director should make a decision based on the requirements of the Zoning Ordinance. Mr. Williams noted that this should not be an issue to be brought before the Board of Supervisors.

Request for Purchase and Appropriation:

Mr. Culley presented a request to purchase a used Kubota tractor (97 hours) and new 7.5-foot mower deck valued at \$2800 (on sale for \$1500), for a total of \$11,500. The equipment will allow maintenance personnel to cut County properties, including the airport, more efficiently. The motion to approve the purchase and appropriation of \$11,500 was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

Middlesex 4-H:

Carl Theil-Goin, Extension 4-H Agent, informed the Board of an award received for Middlesex County having the most rural campers attend the Jamestown 4-H Camp. In addition, Mr. Goin invited the Board to attend the Camp open house on June 3rd.

OLD BUSINESS

Mr. Williams expressed complaints he has received on addressing for the County's E-911 system. Mr. Williams suggested that advance copies of mailings to the public should have been made available to the Board of Supervisors. Mr. Culley suggested that Board members advise the public to contact Kevin Jordan, the County's E-911 Coordinator for assistance. Mr. Crittenden praised Mr. Jordan for the presentations he made at a recent meeting of the Deltaville Civic Association.

CLOSED MEETING

The motion to conduct a closed meeting for the purpose of discussing consultation with legal counsel regarding the Courthouse Lawsuit, pursuant to §2.1-344.a7 of the Code of Virginia, was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously. Upon reconvening in open session, the following motion was made by Mr. Miller, 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:

As a result of the Closed Meeting, there was no action taken.

ADJOURN

There being no further business, the meeting was adjourned until the regular scheduled meeting on May 15, 2001.

Kenneth W. Williams, Chairman
Board of Supervisors