

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, NOVEMBER 20, 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
Wayne Jessie, Jamaica 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 7:30 P.M. and opened with prayer.

PUBLIC HEARING – COMPREHENSIVE PLAN

Tim Wilson, Planning Director, requested the Board's adoption of the Comprehensive Plan, which included revisions to accommodate updates required by the Chesapeake Bay Local Assistance Department. Mr. Wilson pointed out that the revisions were only intended to update some information and was not intended to be a complete re-write of the entire plan. Mr. Williams opened the hearing for comments from the public.

Mr. Neal Barber, speaking on behalf of the Middle Peninsula Land Trust, requested that the Plan be amended to add non-regulatory language for conservation and preservation. He added that Mike Anderberg had issued these same concerns at the Planning Commission meeting. There being no further comment from the public, the public portion of the hearing was closed.

Mrs. Weber commented that she appreciated Mr. Anderberg's comments and that she had marked numerous places in her draft copy of the Plan that needed correction. Mrs. Weber made a motion that adoption be tabled until the information is corrected. This motion was seconded by Mr. Miller and carried unanimously. The Chesapeake Bay Local Assistance Department has issued a deadline of the end of December for adoption of the Plan. Additional advertisement will not be required unless there are policy changes proposed for the plan.

**PUBLIC HEARING – PROPOSED INCREASE IN TOTAL INDEBTNESS FOR
SCHOOL CAPITAL PROJECTS**

Mr. Culley commented that the purpose of the hearing was to receive public comment regarding a proposed increase in total indebtedness for school projects in addition to the \$11.5 million already approved. Mr. Ed Ruark presented a history of the renovation projects, which began several years ago with his involvement on a capital improvement planning committee. Updates were given regarding the proposed contractor for the project – Henderson Construction, the apparent low bidder has been removed from the bidding process, and the second lowest bid is at \$4,663,395.00. Mr. Ruark reported that there had been no changes in the figures presented at the Board's November 7th meeting, and again stressed the importance of the cooperation he had received from state and local officials and staff, the school board and the architects. Mr. Williams opened the hearing for comments from the public.

Dr. Shores commented that the School Board fully supports the presentation made by Mr. Ruark and endorsed the cooperation between Mr. Ruark, School Board member John Moore and School Superintendent Mike Myers. There being no further comments, the public portion of the hearing was closed.

All Board members expressed their gratitude to Mr. Ruark for his work on this project. Mrs. Weber questioned the availability of air conditioning for the gym. The equipment to air condition this space will not be available. Mr. Crittenden noted that the total needed for this proposal was in line with the original proposal presented last year, but it adds a new cafeteria.

The motion to approve that the additional funds would be provided to fund the proposed plan was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously. A public hearing on the actual financing of the project will come at a later date.

DEMOLITION AT HIGH SCHOOL

Mr. Culley advised the Board that demolition of portions of the high school will be required as part of the renovation project. If these sections are not demolished, the square footage of available space would be enough to require a sprinkler system. The School Board at their meeting on November 19th, passed a resolution endorsing the demolition and requesting a commitment of funds from the Board of Supervisors to finance this phase of the project.

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

RESOLUTION OF THE MIDDLESEX COUNTY
BOARD OF SUPERVISORS

DEMOLITION AT MIDDLESEX HIGH SCHOOL

WHEREAS, a new addition is to be constructed on the west side of Middlesex High School; and

WHEREAS, the State Fire Marshall and Middlesex County Building Official are requiring the east wing of the high school and the two buildings (old elementary and cafeteria) on the west side of the school be demolished before a final certificate of occupancy is granted; and

WHEREAS, an unspecified sum of monies are required to complete the demolition; and

WHEREAS, it is understood that every effort will be made by the Middlesex County School Board to have the east wing and the two buildings on the west side demolished by September 2003 and to have the Middlesex High School capital improvement project completed by September, 2003.

THEREFORE BE IT RESOLVED, that the owner of record, the Middlesex County School Board, will demolish the east wing of the school and the two additional buildings on the west side as soon as the students are permitted to enter the newly constructed area; and

BE IT FURTHER RESOLVED, that the financing for the demolition of the east wing and two buildings on the west side will be made available by the Middlesex County Board of Supervisors.

BIRD AND WILDLIFE TRAIL

The motion to adopt the following resolution was made by Mrs. Weber, seconded by Mr. Jessie and carried unanimously.

A RESOLUTION SUPPORTING THE DEVELOPMENT OF THE VIRGINIA BIRDING AND WILDLIFE TRAIL

WHEREAS, Middlesex County has received information that the Virginia Department of Game and Inland Fisheries, hereafter referred to as "DGIF", has set a goal of obtaining TEA-21 (transportation enhancement) funding for the purpose of creating the Virginia Birding & Wildlife Trail; and

WHEREAS, Middlesex County has identified ecotourism as a priority in their tourism development program and it appears that the Virginia Birding & Wildlife Trail would strongly complement their ecotourism initiatives and enhance local economic development; and

WHEREAS, bird-watching and nature-tourism are rapidly growing components of the tourism industry, attracting more than two million individuals annually to existing Virginia sites and generating nearly \$700 million annually; and

WHEREAS, the Virginia Birding & Wildlife Trail is intended to unify existing and potential wildlife watching sites into a single, cohesive, marketing entity; and

WHEREAS, the proposed Birding & Wildlife Trail will be driving trail using Virginia's existing highway system to link some of Virginia's best wildlife watching sites providing recreational opportunities, wildlife habitat awareness, and marketing opportunities; and

WHEREAS, the initial planning process for the project is being funded by DGIF funds, and subsequently anticipated to be funded in part by TEA-21 enhancement funds, for the development of the Birding Trail; and

WHEREAS, site enhancements would generally include signage, gateway wildlife gardens, roadside pull-offs, and boardwalks/lookouts.

NOW, THEREFORE, BE IT RESOLVED, by Middlesex County, Virginia:

- 1. That it supports the efforts of the Virginia Department of Game and Inland Fisheries, in their efforts to obtain TEA-21 funding for the Virginia Birding & Wildlife Trail.*
- 2. That it directs Middlesex County staff to submit site nominations to DGIF for inclusion in the proposed Virginia Birding & Wildlife Trail.*

HOLIDAY SCHEDULE

The motion to approve the following additional days of leave in 2001 for County employees was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously:

Close at noon on Wednesday, November 21

Close all day Monday, December 24

Close all day Monday, December 31

BOARD ROOM CHAIRS

Assistant Administrator, Marcia Jones, presented prices received to purchase vinyl chairs for the Board Room table, at a price of \$219.99 per chair; total cost for eight chairs with shipping was \$2026.17. The motion to purchase the chairs was made by Mr. Miller, seconded by Mr. Jessie. The motion failed by vote of two for (Miller, Jessie) to three opposed (Crittenden, Williams, Weber).

CONTRACT – COURTHOUSE ARCHITECT

Mr. Culley informed the Board that Bay Design Group has been working on a topographic survey of properties in the Courthouse area. A contract price of 28,000.00 has been received from Wiley and Wilson to continue services and provide plans and construction cost estimates for a courts facility located on a site behind the existing court building.

Mr. Soberick commented that the Court's architect would review the plans for compliance with state requirements. Judge Cales will settle any changes not agreed upon by January 8th.

Board members stressed the importance of having citizen's input and requested the elevation drawings be provided by December 18th. The motion to approve the contract with Wiley & Wilson and to request plans by December 18th, was made by Mr. Miller, seconded by Mrs. Weber and carried unanimously.

CLOSED MEETING

The motion to conduct a closed meeting for the purpose of discussing the actual and potential litigation of Macey White versus Board of Supervisors, pursuant to §2.2.3711-A.7 of the Code of Virginia, was made by Mr. Miller, seconded by Mr. Crittenden 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 §2.2-3711.A7 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.

COUNTY FLAG

Mrs. Weber requested the County Administrator look into designing and producing a County flag.

ADJOURN

There being no further business, the meeting was adjourned by motion of Mrs. Weber, second by Mr. Jessie and carried unanimously.

Kenneth W. Williams, Chairman
Board of Supervisors