

**AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS  
HELD ON TUESDAY, AUGUST 20, 2002, 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

Absent: Wayne Jessie, Sr., Jamaica District

**CALL TO ORDER**

Mr. Williams called the meeting to order, noting that Mr. Jessie was out of town and would not be at the meeting. The meeting was opened with a prayer.

**PUBLIC HEARING – JAIL PROCESS FEE**

Mr. Culley explained that the General Assembly was allowing the imposition of this fee on persons committed to the regional jail. Mr. Williams opened the hearing for comments from the public; there being no comments the hearing was closed. The motion to adopt the ordinance as presented was made by Mr. Miller, seconded by Mrs. Weber and carried unanimously.

**ORDINANCE OF THE COUNTY OF MIDDLESEX COUNTY  
ASSESSING A PROCESSING FEE  
FOR INDIVIDUALS ADMITTED TO THE COUNTY JAIL**

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF MIDDLESEX COUNTY, VIRGINIA AS FOLLOWS:

*Jail Process Fees*

*Pursuant to the authority of Section 15.2-1613-1 of the Code of Virginia, 1950, as amended, there is hereby assessed a fee of twenty-five dollars (\$25.00) on any individual admitted to the county or regional jail following conviction within the County of Middlesex. Said fees shall be assessed by the Clerk of the Court in which the conviction occurred, with the other costs of the court proceeding and deposited with the Treasurer of the County and shall be used by the local sheriff's office to defray the cost of processing the arrested person into the local or regional jail pursuant to Section 15.2-1612.*

*This ordinance shall be effective upon adoption.*

*Adopted this 20th day of August 2002, by the following vote; all members present and voting:*

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

### **REQUEST TO ENDORSE GRANT**

Mr. Culley presented a request from Mr. Ron Hall for endorsement of a grant request for marina improvements to attract transient boaters. Mr. Culley had previously advised the Planning District Commission that the County would support improvements that would support tourism. Mr. Soberick reviewed the grant request and noted that the Board's support would only enhance the application. The motion to send a letter of support for the request, however, pledging no monetary support, was made by Mr. Crittenden, seconded by Mr. Miller and carried unanimously.

### **APPROPRIATION REQUEST**

The motion to approve the following appropriation of funds, approved by the State Compensation Board for a new deputy position, was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously: FROM: 3-1-23020-0001, \$29,631.00 TO: 4-1-31020-1001, Compensation \$23,329.00; 4-1-31020-2001, FICA \$1,785.00; 4-1-31020-2002, VRS \$1667.00; 4-1-31020-2005, Hospitalization \$2850.00.

### **USE OF JAIL PROPERTY FOR MAGISTRATE'S OFFICE**

The Board discussed the latest proposal from the Regional Jail Authority to design, construct and allow the magistrates to use a portion of the old Jail, but would require Middlesex County to pay 25% of the total cost plus it's 1/5 share of the remaining cost as a member of the Authority. There were no costs given for the work. Board members expressed their opposition to signing an agreement without knowing the costs involved. Mr. Soberick was advised to contact Mr. William Hefty, counsel for the Authority, to explain the Board's position.

### **DISBURSEMENTS**

The motion to approve disbursements as presented was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously. Checks numbered 42638 through 42642 totaling \$2811.66 would be disbursed as approved.

### **ANIMAL CONTROL VEHICLE**

Board members reviewed quotes received for new and used vehicles, ranging from \$13,200 to \$16,775.20. Board members asked Mr. Culley to research lease/purchase options.

### **CLOSED MEETING**

The motion to meet in closed session pursuant to §2.2-3711.A5 for discussion concerning perspective businesses and §2.2-3711.A7 for consultation with legal

counsel, was made by Mr. Miller, seconded by Mrs. Weber and carried unanimously. Upon reconvening the following motion was made by Mrs. Weber, seconded by Mr. Miller 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. A.5 and §2.2-3711.A7 identified in the motion by which the Closed Meeting convened were heard, discussed, or considered by the public body.

Action:

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

### **SALUDA AND COURTHOUSE WASTEWATER TREATMENT**

Claude Boyd and Robert Gary representing the County's Industrial Development Authority presented a proposal for incorporating the Saluda area businesses, county administrative offices and the new courthouse onto a new wastewater treatment facility. Mr. Boyd presented comparisons between the County constructing its own system for the new courthouse facility and a system that would be large enough to support the courthouse and businesses in the Saluda area. It was estimated that a stand-alone system for the new courthouse and support buildings would cost \$549,000, for a 4,000 gallon per day plant, with a monthly operation and maintenance cost of \$3,800. A 30,000 gallon per day plant would cost approximately \$963,000 to construct and \$4,600 per month to operate. The IDA proposed that the system be County-owned, placed on County land, with the County contributing \$400,000 to the cost of the system along with a monthly operation and maintenance fee of \$600.00. All costs are estimates at this time. Of the 16 entities contacted on Business 17 and Route 33 in the Saluda area, all but four are definitely interested in connecting to the system. The system includes both forced main and gravity fed piping. If the Board of Supervisors can commit to participating in the system, the IDA would revisit all the businesses and get firm prices to come up with connection and operating fees. The IDA is proposing to pay the plant and collection cost for the high school and the courthouse share – an estimated \$130,277.00.

It was estimated that a County employee would work approximately four (4) hours per day maintaining the system, leaving four (4) hours per day to be worked somewhere else. It is estimated that the plant would start out at 60% of the 30,000 gallon per day capacity, with an operating cost of \$8.39 per 1000 gallons; the Urbanna plant is now up to \$8.84. As the plant increases in volume, the operating cost would decrease – at 80%, down to \$6.84; at 90%, down to \$6.32. An estimated increase in sales and real estate taxes was figured at \$73,000.

The IDA requested acceptance of the Preliminary Engineering Report, commitment to the \$400,000.00 from the County and authorize the IDA to further discuss the information with potential users, to work up a firm commitment to use with potential users, and authorize the engineers to continue working on the design. Mr.

Boyd recommended having an informational meeting for potential users of the system to come to and receive information. Firm commitments are needed from all that want to connect along with their usage requirements so that the final design and costs can be established. Customers would pay for their connection and the piping required to get the system to them; the system is not being designed for residential connections, however, under special conditions they may be allowed to connect.

Mr. Soberick advised the Board that a public hearing was required to amend the budget by the amount requested. Mr. Culley noted that this was the cheapest alternative available and an alternative method had to be used because the new courthouse is going to be built on the existing drainfield.

Mr. Miller questioned what would be done with the sludge by-product from the wastewater treatment. Mr. Randall explained different methods of treatment and disposal. Also, some land acquisition for running the piping may be required; VDOT right of way will try to be used as much as possible.

Mr. Williams thanked the members of the Industrial Development Authority for their work on this proposal. Mr. Williams announced that a public hearing would be scheduled for the earliest possible day to consider amending the budget for this project. After making sure that proper advertisements could be met, the hearing was scheduled to be held on Tuesday, September 3, 2002, at 10:30 A.M.

### **CLOSED MEETING**

The motion to meet in closed session pursuant to §2.2-3711.A7 for consultation with legal counsel regarding the tree obstruction, was made by Mr. Miller, seconded by Mrs. Weber and carried unanimously. Upon reconvening the following motion was made by Mrs. Weber, seconded by Mr. Miller 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:

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

### **LEASE AGREEMENT WITH DELTAVILLE COMMUNITY ASSOCIATION**

Mr. Soberick explained the changes that he had made to the lease agreement with the Deltaville Community Association for the Holly Point property, including some typographical changes and adding a clause that the Association would not be responsible for the drainfield that is used by the Middlesex Rescue Squad.

**ADJOURN**

The motion to adjourn the meeting until August 6, 2002, at 9:00 A.M. was made by Mr. Miller, seconded by Mr. Crittenden and carried unanimously.

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Kenneth W. Williams, Chairman  
Board of Supervisors