

**AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, AUGUST 6, 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
Wayne Jessie, Sr., Jamaica District

Charles M. Culley, Jr., County Administrator

Absent: Michael T. Soberick, County Attorney

CALL TO ORDER

Chairman Williams called the meeting to order at 9:00 A.M. and opened with a prayer.

MINUTES

The motion to approve the minutes of the July 2nd and July 16th meetings was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously.

DISBURSEMENTS

The motion to approve the disbursements as presented, subject to clarification that there was no duplicate payment to Dominion Power was made by Mrs. Weber, seconded by Mr. Jessie and carried unanimously. Checks numbered 42441 through 42636 totaling \$633,190.72 were disbursed as approved.

PAYROLL

The motion to approve payroll for the month of July was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously. Checks numbered 42325 through 42431 totaling \$171,336.98 were disbursed as approved.

CONSTITUTIONAL OFFICERS

Treasurer

The delinquent tax list will be in the paper this week.

Commissioner of Revenue:

Tax books will be printed in two (2) weeks.

Mrs. Ebinger gave a report on how the County obtained the Cox Landing property. As early as 1949, the property was shown on surveys as a public landing; no taxes have been paid on the property since that time. There was no further action at this time.

Sheriff

The Sheriff advised the Board that he would be adding vehicles to his fleet – paying \$17,000 for one new Dodge for the drug investigator and leasing an unmarked Chevrolet and a Ford patrol car. All funds for the purchase and lease of the vehicles are within the Sheriff's budget. Mr. Williams commented that he had no problem with the Sheriff's decision as long as there was money in the budget.

The Sheriff introduced Peggy Macy as the new secretary in his office.

The Sheriff will be working on an ordinance that would allow the State Police to write violations of the County license ordinance.

COMMITTEE REPORTS:

Mr. Miller:

- Disability Services Board – It was requested that the County's \$2,000 contribution to the DSB be used in our County. Mr. Miller will be contacting Hands Across Middlesex for a list of projects.

Mrs. Weber:

- Library – replacing rotten wood; estimated cost of repairs \$26,000.
- Jail Board – population down; discussion on August 7th about possible state cuts.
- Courthouse Interiors Committee – toured York and Gloucester Courthouses.
- Communications Committee – Questioned when E-911 would be up and running; letters are going out to citizens from Verizon. Mr. Culley explained that the Verizon database of unidentified phone numbers was larger than the one the County was working with; no payment will be made to Verizon until the project is complete and accepted by the County.
- Local Government Officials' Conference – In Charlottesville, August 11 – 13.

Mr. Jessie:

- Social Services – Training for Board members; evaluation of the Director.
- Hilliard's Mill Pond – Meeting held with VDOT officials; VDOT is willing work with re-building the dam; an association must be formed to maintain the dam.

Mr. Crittenden:

- Airport Committee – no quorum at the last meeting, but Committee is still concerned with moving towards obstruction removal; requested setting up an appointment to meet with Mrs. Miller to work out a plan for tree removal.

Mr. Williams:

- Planning District Commission – report of Staff and River Countries activities; it was suggested that Dr. Scott, president of the Rappahannock Community College be asked to attend the meetings and be a part of the Commission.

HIGHWAY MATTERS

Resident Engineer, Marcie Parker was present for the meeting:

Route 620: work done to widen the pavement on the curve; striping will be completed before school starts. A signal study will not be started until school starts.

Six-Year Plan: Revised figures for budget reduction; now 31.2% (was 32.2%); this does not move any dates up in the project list.

Hilliard's Mill Pond: There must be a Homeowner's Association established and agreement between the County, State and Homeowner's Association that there will be no maintenance, design or construction by VDOT. The State is planning to contribute because they are adjoining property owners, but contribution may have to be funneled through the County to reimburse the association.

Commissioner: A time will be scheduled for Mrs. Weber and Mr. Crittenden to meet with Ambrose Bailey, the County's representative on the Commonwealth Transportation Board, at the intersection of Route 33 and Route 620, after School starts.

West Point Bridge Project: soil samples must be completed before the design can be finished. The advertisement date for the Lord Delaware Bridge is June 2004; December 2004 for the Eltham Bridge. The Lord Delaware Bridge will be a fixed span; the Eltham Bridge will be an open span; both bridges will be higher; total construction time 48 months.

DROUGHT

Mr. David Moore, Virginia Extension Service, was present to request the Board's Declaration of a State of Emergency as a result of the drought. Mr. Moore estimated that there was at least a \$2.12 million loss in crops because of the drought. The motion to approve the resolution was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously.

Mr. Moore reported that Statewide, there were 69 positions lost because of the employee buy-out.

LEASE - AIRPORT

The motion to approve renewing a lease agreement with Mrs. Evelyn Lawson for property adjoining the airport for \$400.00 was made by Mrs. Weber, seconded by Mr. Jessie and carried unanimously.

REQUEST TO WAIVE FEES

The motion to waive the building and development fees for the next Habitat for Humanity house proposed for construction was made by Mr. Miller, seconded by Mrs. Weber and carried unanimously. The Board agreed that it would consider each request separately, rather than granting a blanket waiver for all future Habitat houses.

REQUEST TO LEASE

The Board considered a request from St. Joseph's Villa to lease a portion of the multi-purpose building at Rappahannock Elementary School for a regional program for special education. While it was agreed that having a regional program in the County would save transportation costs, the request to the Board was premature because the School Board had yet to determine or declare that the building was surplus. No further action was taken.

REZONING APPLICATION 2001-05, HERSEY MASON

Mr. James Ward, Jr., representing the applicant, requested that action be taken on the request to rezone a portion of Tax Map 28-107 from Low Density Rural (LDR) to Village Community with a LDR border, as amended at the Planning Commission meeting held on October 11, 2001. At the Board's October 16, 2001 meeting, it had been the consensus of the Board that more information about the proposed use of the property was needed. No additional information had been submitted with the request for the Board to take action.

There was much discussion by the Board members who expressed their concern with not knowing the proposed use for the property or the number of entrances that would be proposed for Route 33. Mr. Ward requested withdrawal of the application. The Board approved the request to withdraw; there was no further action taken.

SALUDA CELEBRATION

Mr. James H. Ward, Jr. presented the proposed plans to hold a celebration of Saluda event on Saturday, October 5th. It is proposed that there would be vendors selling food from 12:00 – 1:00 in the Courthouse area, the ceremony from 1:00 – 3:00, beginning in front of the Courthouse, moving to the groundbreaking area for the new courthouse, then to the park across from the Museum for its dedication. It is also being proposed to have a reenactment of an 1852 court case taking place in the courthouse on the evening of October 4th.

OYSTER FESTIVAL COMMITTEE

Lewis Filling, Mayor of the Town of Urbanna, and Bruce DeSimone and Bob Henkel representing the Oyster Festival Committee, requested the Board's approval to extend the Town limits to Burrell's Marina Road down State Route 602 and down Route 227 to Route 33 at Cooks Corner. The representatives expressed concern over health issues brought about by non-licensed food vendors and problems with other vendors selling offensive items that have been banned from the festival.

The representatives were asked to work with the County Attorney and County Administrator to present a proposal.

SCHOOL MATTERS

Appropriations: The following appropriations were approved by motion of Mr. Crittenden, second by Mr. Miller and carried unanimously:

Textbook Carryover – FROM: 3-1-41060-0001, \$33,288.00 TO: 4-26-63000-6210

VPSA Carryover – FROM: 3-1-41060-0001, \$43,807.00 TO: 4-26-060010-6210

Technology Literacy Challenge Carryover – FROM: 3-1-41060-0001, \$13,791.00 TO: 4-23-060010-6210.

Goals 2000 Equipment Carryover – FROM: 3-1-41060-0001, \$11,361.00 TO: 4-023-060010-6210

Goals 2000 Teacher Development Carryover – FROM: 3-1-41060-0001, \$620.00 TO: 4-023-060010-6210

Board members and School Board members, Richard Shores and John Moore discussed a request to use the carryover balance of \$200,000 from the 2001-2002 general school fund to air condition the high school gymnasium and four vocational classrooms. Superintendent Myers explained that the surplus funds came as a result of cutting back revenue to the individual schools by 25% and not filling positions. Preliminary quotes received have averaged around \$261,000. Mr. Moore noted that the proceeds from the sale of surplus property would be returned to the County and it was their hope that the County would pay the difference in the cost of the air conditioning above the \$200,000. Mr. Culley recommended that all funds be put into a Board of Supervisors controlled capital improvement account.

There was some discussion regarding the property that will be returned as surplus to the County after the old school buildings are vacated.

The motion to approve the following appropriation, noting that all revenue from the sale of surplus equipment and property will be placed into this same account was made by Mr. Crittenden, seconded by Mr. Miller and carried unanimously: FROM: 3-1-41060-0001, General Fund – Fund Balance, \$200,000, TO: 4-49-10010-7015, Capitol Improvement Fund – High School Gym Air Conditioning. There was no action from the Board regarding providing additional funds.

Non-Resident Students: Mr. Miller questioned the number of non-resident students being taught at Middlesex Schools. Of a total of 14 students, 8 are teacher related and pay no tuition; the remaining 6 pay \$1400 each. The School Board approves individual applications for non-resident education. This year's budget is based on 1292 students.

CLOSED MEETING

The motion to convene in closed session 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. Jessie 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.1 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 as a result of the Closed Session.

ANIMAL CONTROL

Board members were presented with an estimate of \$5,000 to repair the 1993 Ford Ranger being used by the Animal Control Officer. Mr. Culley was asked to check on lease and used vehicle options. The Board was reminded that an air-conditioned box would have to be used beginning in January or be subject to a fine. It was a consensus of the Board that no box be purchased until the County is threatened with a fine.

APPROPRIATIONS

Insurance Deductible: FROM: 3-1-18030-0006, \$250.00 TO: 4-1-31020-7005, Deductible paid by other insurance company in April 1st claim; motion to approve by Mrs. Weber, seconded by Mr. Miller, carried unanimously.

Purchase of Land Adjoining Sheriff's Office: FROM:3-1-41060-0001, \$96,360.00 TO: 4-1-10010-7004, Purchase of land adjoining Sheriff's Office (\$95,000 plus fees) approved at January 15th Board of Supervisors meeting. Motion to approve by Mr. Jessie, seconded by Mr. Miller and carried unanimously.

Purchase of Land for Animal Shelter: FROM: 3-1-41060-0001, \$18,333.33 TO: 4-1-10010-7004, to fund the purchase of land in King & Queen County for regional animal shelter and to send the payment for same. Motion made by Mrs. Weber, seconded by Mr. Jessie; motion carried by vote of 3-2 (Miller and Crittenden opposed). Architects are completing a study of the building needed.

APPOINTMENTS

Community Services Board: The motion to appoint Roberta White to replace Lee Savidge when his term expires December 31, 2002, subject to her acceptance, was made by Mr. Crittenden, seconded by Mrs. Weber and carried unanimously. Mr. Savidge will not be eligible for reappointment.

Wetlands Board: The motion to reappoint Woodson Armstead to a five-year term on the Wetlands Board, effective July 1, 2002, was made by Mr. Crittenden, seconded by Mr. Miller and carried unanimously.

Juvenile Detention: The motion to reappoint Charles Culley to a five-year term on the Juvenile Detention Commission was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously.

There was no action taken on filling vacancies to the Dragon Run, Planning District Commission, or Planning Commission.

OTHER BUSINESS

Spoil Site: Mr. Crittenden requested that work be done to remove the brush and trees from the spoil site, especially on the eastern property line.

Bike Path: Mr. Culley advised that there is a possibility that the scope of this project may be changed. The County has four (4) years to use the funds; an extension can be requested.

DCA Lease: Drainfield on property; who would assume responsibility.

Endorse Pledge of Allegiance: The motion to endorse a resolution being circulated by Mecklenburg County in support of the Pledge of Allegiance was made by Mrs. Weber, seconded by Mr. Crittenden and carried unanimously.

RESOLUTION

WHEREAS, the Board of Supervisors of Middlesex County, Virginia is concerned about a recent court ruling in California regarding the Pledge of Allegiance; and

WHEREAS the Pledge of Allegiance is a symbol of patriotism for the United States of America; and

WHEREAS, the working of the Pledge is designed to promote said patriotism; and

WHEREAS, due to events of September 11th our Nation is under attack by forces bent on the destruction of our Country; and

WHEREAS, this Pledge does not promote any specific religion; and

WHEREAS, in this time of crisis our citizens want and need to show their faith in our Country and the ideals for which it was created;

THEREFORE BE IT RESOLVED that the Board of Supervisors of Middlesex County wishes to express their extreme desire that the Pledge of Allegiance will continue to be recited in the schools at it is currently written;

BE IT FURTHER RESOLVED that this resolution be made a part of the minutes of the Board of Supervisors.

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

ADJOURN

As there was no further business, the motion to adjourn was made by Mr. Miller, seconded by Mr. Crittenden and carried unanimously.

Kenneth W. Williams, Chairman
Board of Supervisors