

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON WEDNESDAY, JANUARY 2, 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
Michael T. Soberick, County Attorney

CALL TO ORDER

This being the annual organizational meeting of the Board, the meeting was called to order at 9:00 A.M. by Mr. Culley. The floor was opened for nominations for the position of Chairman. Mr. Williams was nominated as Chairman by Mr. Miller; second by Mrs. Weber. There being no others, the floor was closed for nominations. The motion to elect Mr. Williams as chairman carried unanimously.

Mr. Miller was nominated as Vice Chairman by Mr. Crittenden; second by Mr. Jessie. There being no other nominations, the floor was closed for nominations. The motion to elect Mr. Miller as vice chairman carried unanimously

The motion to continue meeting on the first Tuesday of each month at 9:00 AM and the third Tuesday of each month at 7:30 PM, in the Board Room of the Woodward Building, was made by Mrs. Weber, seconded by Mr. Crittenden and carried unanimously.

CALL TO ORDER

Mr. Williams took the Chair and called the meeting to order. The meeting was opened with a prayer.

MINUTES

The motion to approve the minutes of December 4th and December 18th was made by Mr. Miller, seconded by Mr. Crittenden and carried unanimously. Updates on County flag design and Wave Rider were requested.

DISBURSEMENTS

The motion to approve the disbursements as presented was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously. Checks numbered 40666 through

40816 totaling \$341,333.34 were disbursed as approved. It was noted that department heads must weigh necessities.

PAYROLL

The motion to approve payroll for the month of December was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously. Checks numbered 40562 through 40664 totaling \$161,625.22 were disbursed as approved.

CONSTITUTIONAL OFFICERS

Treasurer: Kathy Thrift, Deputy Treasurer, announced that vehicle decals are on sale. As of December 25th, \$536,060.96 had been collected for car tax revenue.

Commissioner of Revenue: Mrs. Ebinger had nothing to report.

Sheriff: Major Bushey was present representing Sheriff Abbott, who was in Court. It was suggested that the Sheriff investigate the possibility of using program cars for his department.

COMMITTEE REPORTS

Mr. Miller:

- Dragon Run Steering Committee – Discussed Special Area Management Plan for the Dragon Run. The ordinance currently used by Middlesex County for restrictions to the Dragon is more stringent than the Chesapeake Bay Preservation Ordinance.

Mrs. Weber:

- Jail Board – Mr. Ingram, the Sheriff from Essex County and Mr. Busick have been appointed as a committee to study the request from Mr. Culley of joining onto the Jail's sewage treatment system or use of land for sewage disposal.
- Comprehensive Services – This program is currently within budget; Governor Gilmore is proposing that localities match 50% for non-Medicaid expenses.
- State Budget – Information on the proposed State budget will be presented at a meeting on February 7th. There has been discussion of a proposal that will give local judges the authority to require local funding for their personnel.

Mr. Jessie:

- Social Services – The Social Services Board is working on their budget.
- Airport Committee – There was no meeting of the Airport Committee in December.

Mr. Crittenden:

- Social Services – The Staff of Social Services believes they need their own attorney, however Mr. Crittenden has seen very little use for an attorney. There is a possibility of saving some funding if there are any retirements.
- School Liaison – The second low bid has been awarded the contract for construction at the high school. Dominion Power will be moving the power poles from the parking area to allow for construction. Chairman Shores has said Mr. Moore would approve invoices prior to payment; the same Clerk of the Works will be used on the high school project that has been used on the elementary school. The plan is to have the project complete within 12 months from the start, unless there are complications because of weather.

Mr. Williams:

- Planning District Commission – Legislators had received the proposed budget from the State and presented an even bleaker picture to localities at the meeting.

Mr. Culley:

- Budget concerns – Legislators have suggested belt tightening to make up for state revenue shortfalls, however, because so many of the programs the County enforces are mandated, when the funds are cut it becomes a matter of increasing taxes to cover the deficit.

HIGHWAY MATTERS

Resident Engineer, Marcie Parker, was present for the meeting.

Route 612: Work is complete.

Route 670: Work is starting; this is a rural addition project.

Route 628: A tree along the edge of the road needed to be removed.

High School: A price of \$6,000 had been quoted for VDOT crews to place temporary striping in the road in front of the high school to shift the travel lanes, allowing for parking on the school side. This is a discounted price; the original estimated cost was \$10,000.

Route 663: Mrs. Weber reported that a pine tree across the road had been removed, however debris had been left too close to the side of the road and could be hit.

SCHOOL MATTERS

Superintendent Myers:

Mr. Myers was not able to be present for the meeting.

APPROPRIATION REQUESTS

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

Abandoned Vehicles: FROM:3-1-24040-0030, \$800.00 TO: 4-1-81040-5412. Appropriation of funds received from DMV for the disposal of abandoned vehicles (total received \$1,000; \$800.00 to be paid to Doc Jones per 1998 agreement.)

Cemetery Books: FROM: 3-1-24040-0028, \$8,750.00 TO: 4-1-81070-5604. Appropriation of budgeted revenue to allow for the purchase of the cemetery books.

Commissioner of the Revenue: FROM: 3-1-41060-0001 \$2,178.00 TO: 4-1-12090-7007. Appropriation from the General Fund to the Commissioner of the Revenue – ADP Equipment budget. Budget request made in 2001 was for \$2200.00; the amount entered into the approved budget was \$22.00.

Generator: FROM: 3-1-41060-0001 \$20,000.00 TO: 4-1-43020-7000. Appropriation from the General Fund to allow payment for the generator to be used at the new elementary school; purchase from the Regional Security Center was approved February 6, 2001.

DEFERRED COMPENSATION PLAN

Providers of the various deferred compensation plans offered to employees have requested that the County offer plans under Section 457(b) of the Internal Revenue Code of 1986, as amended. There is no cost to the County for offering these plans; all benefits are exclusively for the employee.

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

RESOLUTION
ELIGIBLE 457(b) DEFERRED COMPENSATION PLANS

BE IT RESOLVED THAT this Board of Supervisors of Middlesex County (the "Board"), does hereby establish an eligible deferred compensation plan that is intended to qualify under Section 457(b) of the Internal Revenue Code of 1986, as amended by adopting the VRSI Eligible 457(b) Deferred Compensation Plan, V.A.L.I.C. and Nationwide Retirement Solutions and Deferred Compensation Plans (the "Plan") for all full time, regular employees to be effective as of January 1, 2002 (the "Effective Date").

FURTHER RESOLVED that the Board does hereby authorize the County Administrator to take any and all actions necessary or desirable to implement and administer the Plan and to keep the Plan in compliance with applicable state and federal laws and regulations.

FURTHER RESOLVED that any amounts contributed into the Plan shall be held in trust, as defined in Section 401(f) of the Code, for the exclusive benefit of the employee and shall not be available to the general creditors of the Board.

<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</i>	<i>aye</i>

ROAD NAMES

Request to Change Name:

Discussion continued regarding a request that the Board reconsider their decision to change the name "Summerlyn Road" to "Willie's Neck Road". Mr. Soberick advised that correct procedure for requesting the road name change had not been followed and the name for the road in question should not have been changed by the Board. Mr. Soberick advised that letters should be sent to all petitioners that the name be reinstated as Summerlyn Road; the Board concurred.

Locklies Creek Road/Masons Cove Lane:

Mr. Williams requested consideration of changing the street address for Phyllis Haughton and Ames Diaz. A right of way splits properties owned by these parties. The owners wish to be addressed from Locklies Creek Road rather than Masons Cove Lane, the name of the right of way. Kevin Jordan will be asked to review the request for discussion at the Board's January 15th meeting.

HEALTH DEPARTMENT

Acting Director of the Three Rivers Health District, Dr. Phillip Winter, requested the Board consider authorizing the expenditure of \$8,141 approved as part of the

County's allocation to the Health Department, which will now be unmatched by the State. Board members recommended withholding this portion of the County's appropriation until decisions were made by other localities in the District in the same position. Dr. Winter advised that he would send an update to Mr. Culley.

CLOSED MEETING

The motion to conduct a closed meeting for the purpose of the discussion or consideration of the acquisition of real property for a public purpose, pursuant to §2.2-3711.A.3 of the Code of Virginia, and personnel, pursuant to §2.2-377.A1 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. 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.3 and A.1 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 following action was taken: the motion to authorize the purchase of Tax Parcel 26B-1-84, for \$95,000, subject to its suitability for County purposes was made by Mr. Miller, seconded by Mr. Crittenden and carried unanimously.

COURTHOUSE

Discussion continued regarding the concept design for a courts facility presented to the Board at their meeting on December 18th. Mr. Mazanec from the architectural firm, Wiley and Wilson, noted that the firm would be looking at removing the dedicated courtroom for juvenile and domestic relations court.

Mr. Williams opened the discussion for comments from the public. Donald Richwine agreed with the need to keep the basement for future expansion. Mr. Williams noted that the Board was trying to plan for expansion, but yet keep the costs down. Mr. Crittenden noted that there were more retirement-age people in the County who would not need the court facilities. Mrs. Pat Perkinson requested that the Board plan for expansion. She added that the building had a traditional look and character and hoped that it passed the message onto future generations that there was a respect for laws. Mr. Bert Perkinson commented that Mr. Culley should be commended for working with the architects to come up with a design concept that fit the surroundings. He recommended the Board plan for expansion and proceed with the current plan.

It was noted that any space available for expansion could only be used for judicially approved uses. Negotiations are continuing with the Jail for use of land for a

mass drainfield. The Board requested the firm prepare a design of two stories with a full basement. The firm was asked to see if the magistrate's space could be reduced. Mr. Williams scheduled a meeting for Tuesday, January 8th at 10:30 A.M., in the Board Room to discuss the plan further.

CLOSED MEETING

The motion to conduct a closed meeting for the purpose of the discussion of personnel, pursuant to §2.2-3711.A1 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:

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

RECESS

The motion to recess the meeting until January 8th at 10:30 A.M. was made by Mr. Miller, seconded by Mr. Crittenden and carried unanimously.

Kenneth W. Williams, Chairman
Board of Supervisors