

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, JULY 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

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 June 4th and June 18th meetings was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously.

DISBURSEMENTS

The motion to approve the disbursements as presented was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously. Checks dated June 30th numbered 42315-42318, totaling \$8544.00; numbered 42288-42300, totaling \$19,203.93; and number 42319 for \$25.00 and dated July 2nd numbered 42301 through 42314 totaling \$57,354.70 were disbursed as approved.

PAYROLL

The motion to approve payroll for the month of June was made by Mrs. Weber, seconded by Mr. Jessie and carried unanimously. Checks numbered 42191 through 42287 totaling \$153,994.78 were disbursed as approved.

COMMITTEE REPORTS:

Mr. Miller:

- Dragon Run Steering Committee – Middlesex is in better shape than sister counties. Questioned CBLAD representatives on the State's ability to

impose development restrictions at least 100 feet from a wetland edge, but will allow sludge to be placed within 25 feet.

Mrs. Weber:

- Sports Complex – Pavers are being sold.
- Interiors Committee – very impressed with Judge Atlee who appears to be considerate of cost, but decorating with dignity. The Judge will be arranging tours of the courthouses in York and Gloucester Counties.
- Jail Board – Jail Board attorneys and Mr. Soberick are working on an agreement for the magistrate's office. Middlesex County ranks third in the number of inmates; average daily total of prisoners was at 172.

Mr. Jessie:

- Social Services – The Social Services Board has agreed that Michael Hurd can substitute as counsel at a cost of \$60 per hour in the event that Mr. Soberick is not available. Mr. Culley is to be notified whenever Mr. Soberick is contacted to serve as counsel
- Airport – Larry Hardwicke is in command of the Virginia Civil Defense Force now based at Hummel Field, including seven planes and pilots. This unit is available for air search and rescue if the National Guard unit in West Point is not available.

Mr. Crittenden:

- Planning District Commission: not impressed with the speaker or topic of last meeting and would suggest that more local issues are discussed.

CONSTITUTIONAL OFFICERS

Treasurer

A printout of delinquent taxpayers was made available; delinquent personal property totaled \$91,537.86, 97% collected; delinquent real estate totaled \$165,088.69, 94% collected.

Mrs. Jones requested permission for the Treasurer to act as fiscal agent for a new Animal Fund, with monies to be collected for the medical treatment of stray animals; the Treasurer has already agreed. The motion to approve the request was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

Commissioner of Revenue:

There were no comments from the Commissioner. The Commissioner thanked the Sheriff after an incident she had requiring his Department's assistance.

CONSTITUTIONAL OFFICERS

Sheriff

Appropriation: The Sheriff requested that \$6,600 received from a 1998 COPS grant be used to reimburse deputies for working overtime at County events, such as 4th of July parades, Wings and Wheels, etc. The motion to approve the request was made by Mr. Crittenden, seconded by Mr. Miller and carried unanimously.

MEACHIMS CREEK

Since the notice requesting bids for the purchase of property owned by the County on Meachims Creek had run in the paper several of the property owners in the area have contacted Mr. Culley. Apparently there are at least three (3) accesses to private property off the County access and there is some question as to how the County obtained the property and if it really belongs to the County. Although a plat submitted shows the area as a public landing, it may be public for the surrounding property owners, not necessarily for all County citizens. There is little value to the property except to those that surround it.

Mr. Williams noted that when the issue came up it was because the pier was in bad shape and the Board was not aware that it was being used. The property owners may submit a proposal to repair the pier themselves. Johnny Jackson stated that his father-in-law had built the pier and he had always been told that the pier was not on the landing.

Mr. Crittenden suggested that the Saluda District Board members work with Mr. Culley and Mr. Soberick and Mrs. Ebinger regarding the ownership. It is not the Board's intention to get rid of the pier or the landing, just to have the pier repaired.

HIGHWAY MATTERS

Resident Engineer, Marcie Parker was present for the meeting:

Rural Addition Projects: Mr. Brubaker, President of the Pipe-N-Tree Homeowner's Association, questioned the status of rural addition projects in the County. Mr. Culley advised that approximately \$20,000 was allocated to work on rural addition projects each year and could be pooled for three (3) years to be used on a project. The first phase of South Landing Road at Samos is the project scheduled for construction this summer. Because all the rural addition funding has been directed to the South Landing project, the County has not advertised for new projects and the road viewers have not reviewed the last projects submitted. Board members confirmed that the Pipe-N-Tree roads would be the next project undertaken. Mr. Crittenden noted that the County now has requirements that roads in developments be built to Virginia Department of Transportation standards.

Hilliard's Mill Pond: Mr. David Ogle, Fredericksburg District Administrator, presented the report of the Department of Transportation which indicated that there was no scientific evidence that the vibrations of the private contractor working upstream of the dam contributed to the spillway breaking. Mr. Ogle stated that undermining and a rainstorm event on the 18th and 19th caused the dam to fail. VDOT has made no inspections or maintenance of the dam since 1963 and claims no responsibility or liability. Mr. Ogle indicated that there was some question as to owns the pond. According to the Division of Dam Safety, there is no obligation on anyone's part to rebuild the dam.

Joseph Longton and Charles Heater spoke in opposition to the report. Matthew Rosendall questioned whether the Board would be granting some tax relief because the current assessment is based on having waterfront property. Property owners commented that their records stated they owned to the middle of the pond.

Mr. Jessie continued to state that there was some impact from the contractors dropping riprap in the area of the culverts that connect directly to the spillway and the dam. Mr. Crittenden commented that independent engineers should have been used to inspect and evaluate the problem rather than using State forces. Mr. Crittenden also commented on the health hazard that has been created by the standing water and dying fish. Mrs. Weber noted that the weather issue needed to be clarified because there was no rain in that area prior to the dam breach.

Mr. Ogle commented that there was a possibility that the Department of Game and Inland Fisheries could have the pond restored if it became a public pond. He stated that the Department was willing to share whatever information they had with the citizens of the area and would continue to assist within their power.

Route 33/Philpot Road, Route 620: Mrs. Billy Eubanks requested something be done to widen the median for buses at this intersection and also to improve the road surface in the area of the new elementary school. Board members explained their efforts for improvements at the intersection. Mr. Ogle suggested having the District Safety engineer come and look at the situation again. Assistant Resident Engineer, Sean Trapani, confirmed that improvements were being made at the elementary school.

Logo Program: Mrs. Weber had questions about the new campground signs that had been installed, including why other advertisements were not included. Mrs. Parker noted that the signs were installed as part of the logo program; former assistant resident engineer Maurice McKenzie worked with the program.

SCHOOL MATTERS

No one was present to represent the School Board.

FLEET FUELING

As a result of bidding out for fuel discounts, the following prices were received:

Grade of Fuel	Discount Bid		
	Thrift Oil	Neighborhood Convenience	Robins Texaco
Regular	0.02	0.051	0.050
Medium	0.02	0.070	0.060
Supreme	0.02	0.101	0.100
Diesel	0.02	0.071	0.050

Action on the fuel contract was tabled until the night meeting.

AUDIT

Irvin Farmer, Jr., principal with the accounting firm, Robinson, Farmer Cox Associates, explained GASBY34 fixed asset accounting requirements. Action on the contract for creating the inventory and other associated requirements of GASBY34 would be placed on the agenda for the Board's night meeting. The motion to approve a contract for the regular audit of County funds and procedures for the year ending June 30, 2002, was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously.

PULLER CENTER

Mr. Culley presented a request that the Board consider reducing the rental cost for hallway space at the Puller Center to be rented by the Community Services Board. It was a consensus of the Board that there would be no change in the approved rate.

HOLLY POINT

Mr. Soberick outlined the changes that had been made to the proposed lease to the Deltaville Community Association for leasing Holly Point property. The initial lease would be for a 5-year period, renewable for 5-years, then renewable for 10 years after that; no alcohol would be allowed on the grounds.

Mrs. Weber still questioned the lack of a financial plan and noted that the Museum Board for the museum in Saluda never got anything from the County. Mr. Jessie noted that the DCA is still going to have to raise all the money for what they want to do.

The motion to accept the lease agreement between the County and the Deltaville Community Association was made by Mr. Crittenden, seconded by Mr. Jessie and carried by a vote of 3-2, Miller and Weber opposed.

APPOINTMENTS

Planning Commission: The motion to reappoint Mr. Sibley, Mr. Wake and Mrs. Hensley as representatives on the Planning Commission was made by Mr. Crittenden, seconded by Mr. Miller and carried unanimously. All terms are for four (4) years, expiring June 30, 2006.

Airport Committee: The motion to reappoint Maxine Walker, Randy Coulson and Robert Crump to four-year terms on the Airport Committee was made by Mrs. Weber, seconded by Mr. Crittenden and carried unanimously. All terms will expire August 31, 2006.

STREET NAME

Mr. Culley reviewed a new street name request for a private road leading to private hangars adjoining the airport property. A name that had been suggested was Airport Road, however, Mr. Culley expressed his concern that people might think that the road was a public access to the airport and suggested that the road be given the name Industrial Way because of the light industrial uses in the area. The Board concurred with the suggestion; letters would be written to the property owners along the road to advise them of the proposed name. Final action would be taken at the Board's evening meeting.

COUNTY FLAG

Board members were shown the new County flags that had been produced. It was agreed that the flags purchased for resale would be sold at a cost of \$10.00 over invoice.

CLOSED MEETING

The motion to convene in closed session to discuss personnel issues pursuant to §2.1-3711.A1 was made by Mr. Miller, seconded by Mr. Crittenden and carried unanimously. Upon reconvening in open session, the following motion was made by 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.1 and identified in the motion by which the Closed Meeting convened were heard, discussed, or considered by the public body.

Action:

The motion to accept the Contract of the County Administrator for three (3) years as written was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

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