

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, MARCH 5, 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 meetings and work sessions held on February 5th, February 19th, February 20th and February 26th with a correction to the February 5th minutes 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. Jessie and carried unanimously. Checks numbered 41174 through 41366 totaling \$113,713.70 were disbursed as approved.

PAYROLL

The motion to approve payroll for the month of February was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously. Checks numbered 41076 through 41173 totaling \$159,552.03 were disbursed as approved.

COMMITTEE REPORTS

Mr. Miller:

- Dragon Run Steering Committee – Discussing the best use of watershed; he's in favor of not doing anything. Concerned with biosolids in Essex being dumped close to the watershed.

Mrs. Weber:

- Comprehensive Services – Staying within budget.
- River Country – Working on perspective business that could have 20 full time employees, 40 in future. Mr. Williams noted that the latest information was that the General Assembly would not be funding a split partnership.

Mr. Jessie:

- Social Services – Food stamps will be phased out and debit cards used. Director will be checking with small stores to see if they have a debit card machine.
- Airport Committee – Discussion was heard regarding the lighting of the pecan tree obstruction; explained that the tree would not have to be lit all the time. Randy Coulson will be making a presentation on hangars.
- Museum Board – Fundraiser scheduled for April 21st at the Ruitan Club in Mathews; acting as a mediator between the buyer and owner of Wilton.

Mr. Crittenden:

- Social Services – Debit cards will be a positive approach to combating fraud.

CONSTITUTIONAL OFFICERS

Treasurer: Betty Bray, Treasurer, requested the Board's consideration in setting the tax rate as soon as possible, which would allow tax bills to be mailed; approximately one month is needed to process and mail tax bills.

Commissioner of Revenue: Mrs. Ebinger reported on a proposal of the General Assembly to change the requirements for State reimbursement of car tax revenue. In order to receive reimbursement, local employees would be required to manage, enforce, mail and file affidavits. According to Mrs. Ebinger, the Department of Motor Vehicles already has the ability to provide the information that is being asked of the locality. The Board agreed that a letter of opposition should be written to the Governor and to the General Assembly representative.

Sheriff: Sheriff Abbott announced that traffic stops for decal checks would begin soon. Workload for his department is up one-third from last year. Some representatives of the volunteer security patrol were present; there is a squad of 7 and over half are trained emergency medical technicians. This group assists with security patrols and assisting fire and rescue.

HIGHWAY MATTERS

Resident Engineer, Marcie Parker and Assistant Resident Engineer, Sean Trapani, were present for the meeting:

Route 620: This issue is resolved.

Route 33, DeWolf Property: This issue is resolved.

Route 33: The proposal to widen Route 33 is in the draft improvement plan; final plan approval is scheduled for the next week.

Route 630: Mary White, Wayne Cox, Mead Usry, Dall Cook, Lucille Cook Carmichael and Macy White spoke in opposition to the proposed improvements to widen and realign sections of Route 630 between Route 33 and Route 3. Citizens requested the banks along the road be cut back, shoulders widened, posted speed reduced to 35 miles per hour and a restriction placed on through commercial traffic. Concern was expressed that proposed improvements would only increase the amount of traffic and its speed making driving more hazardous. It was feared that the improvements would destroy the residential areas adjoining the road. Mrs. White commented that the project was first proposed in October, 2000 and was pushed through for the benefit of a relative of Mr. Crittenden.

Mrs. Parker commented that this project had been on the secondary road improvement plan since at least 1992 and to date \$118,000 had been spent on project design, not including the costs of recent core inspections and surveys. She added that improvements to this road must meet federal standards, which would include widening to a minimum width; Mrs. Parker has applied for an exception to this requirement.

Mr. Crittenden denied using his position as Supervisor to receive benefits for a relative and added that road improvements on this road had been discussed for many years. In the fall, Mr. Crittenden promoted the restriction of commercial vehicles on the road for the safety of residents and slower moving farm vehicles.

Mr. Williams commented that the Board of Supervisors would wait until a decision is reached regarding the exception requested by the Virginia Department of Transportation. Mrs. Parker noted that the posting of the commercial vehicle restrictions would be going up soon.

Cooks Corner Traffic Signal: Mr. Miller requested consideration of removing the yielding green signal from the turning light at Cooks Corner, from Route 33 onto Route 227. Mrs. Parker noted that the problem is not with the signaling device, but driver error. It was noted that there would be more complaints if drivers had to wait for the dedicated turn signal.

AGENCY ON AGING

Kathy Vestly and Bruce DeSimone from the Agency on Aging were present to advise the Board of a proposal to construct senior apartments in the County. A site has been selected and applications are being submitted to the Planning Department, along with grant applications to the Department of Housing and Urban Development; adjoining property owners have been invited to attend a meeting to discuss the proposal and to answer questions or comments.

COURTHOUSE GROUNDS – VETERANS DAY

Mr. John Rotan and Mr. Kenneth McAuley were present to request the use of the courtyard for a Veterans' Day program; the group is attempting to make this a tri-county affair with Mathews and Gloucester. The motion to authorize use of the courtyard was made by Mr. Crittenden, seconded by Mr. Miller and carried unanimously.

AUDIT REPORT

Irvin Farmer of Robinson Farmer Cox Associates presented the audit report of the County for the fiscal year ending June, 2001. Mr. Farmer reported on the need to implement Gasby 34 requirements, required for implementation by 2003; substance and structure of financial statements will be changing. The firm is developing accounting policies and procedures for fixed assets and values; Mr. Farmer can make a presentation of these changes to the Board at a later date. The motion to accept the audit report was made by Mr. Miller, seconded by Mr. Crittenden and carried unanimously.

APPROPRIATION

The motion to approve the appropriation of monies received as a insurance reimbursement for lightning damage in August, was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously. FROM: 3-1-18030-0006, \$21,428.49; TO: 4-1-12190-5300, \$21,428.49.

REQUEST FOR NO-WAKE ORDINANCE

Mr. Culley presented a request submitted by Heritage Point Homeowners Association to have a no-wake ordinance adopted for the mouth of Sturgeon Creek. The motion to advertise for the required public hearing was made by Mr. Crittenden, seconded by Mr. Jessie and carried unanimously. Mr. Culley was instructed to advertise public hearings on any applications received for no-wake ordinances.

COURTHOUSE SEPTIC

A sewage disposal feasibility study prepared by William Meagher for property belonging to the Regional Security Center and being considered by the County for a drainfield system for the new courts facility, indicated that most of the acreage is either too low or too steep to be used for sewage disposal systems. The flatter areas on top of the hills would require "alternative technology" and an engineered plan.

Mr. Soberick requested a closed meeting with the Board to brief them on a report from the Jail's attorney.

Closed Meeting:

The motion to convene in closed session to discuss legal matters relating to the Courthouse and contracts with representatives from the architectural/engineering firm, Wiley and Wilson, pursuant to §2.2-3711.A7 of the Code of Virginia, and personnel issues pursuant to §2.1-3711.A1 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.7 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 there was no action to report. Mr. Soberick advised that a hearing was scheduled with Judge Cales for Monday, March 11th.

RECESS

Mr. Williams recessed the meeting. Mr. Williams reconvened the meeting following lunch.

APPOINTMENTS

Sports Complex:

The Chairman appointed Mr. Jessie to serve on the Sports Complex Commission.

Planning Commission:

There was no action regarding an appointment to fill a vacancy from the Saluda District.

Dragon Run Steering Committee:

Mr. Miller advised that he had been unable to reach Cathy Wilson regarding renewing her appointment to the Dragon Run Steering Committee. Mr. Miller advised that he may ask Mr. Davis Wilson if he would be interested in serving on the Committee.

BUDGET WORK SESSION

Board members discussed the proposed budget with Mr. Culley.

ADJOURN

The motion to adjourn until the regular meeting scheduled for March 19 was made by Mr. Miller, seconded by Mr. Crittenden and carried unanimously.

Kenneth W. Williams, Chairman
Board of Supervisors