

**AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, OCTOBER 1, 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.

OPERATION THANKSGIVING

Bill Bagby, representing Bethlehem Star Lodge, requested the Board's endorsement of the 12th annual Operation Thanksgiving program. Mr. Bagby explained the program benefited 145 families last year and the Rotary Club has asked to work with the Lodge this year. The motion to endorse the project was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

MINUTES

The motion to approve the minutes of the September 3rd and September 17th meetings as corrected was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously.

STATE BUDGET CUTS

The motion to send letters to all constitutional officers and department heads advising them of proposed State budget cuts and putting them on notice not to expect the Board of Supervisors to make up the difference was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously.

DISBURSEMENTS

Mr. Culley was instructed to advise the Commonwealth's Attorney that his bills needed to be submitted more timely. Administration was also asked to investigate a

cheaper cellular phone plan for the Animal Control Officer. The motion to approve the disbursements as presented, was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously. Checks numbered 43020 through 43167 totaling \$313,736.49 were disbursed as approved.

PAYROLL

The motion to approve payroll for the month of September was made by Mr. Miller, seconded by Mr. Crittenden and carried unanimously. Checks numbered 42918 through 43019 totaling \$170,925.45 were disbursed as approved.

CONSTITUTIONAL OFFICERS

Treasurer and **Commissioner of Revenue**:

The Treasurer, Mrs. Bray, reported that tax bills would be mailed the week of October 10th and would be in a new style. Mr. Elliott would be having a tax sale on October 18th.

Commissioner of Revenue, Mrs. Ebinger, updated the Board on new legislation regarding the Personal Property Tax Relief Act of 1998 (PPTRA), which will require a great deal more work and file space for her office and additional requirements for taxpayers. Mrs. Ebinger noted that the State is looking for any reason it can to deny refunds to the County. The Board noted that they would fully support Mrs. Ebinger in her efforts to get relief from these requirements.

Appropriation: The motion to approve the following appropriation was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously: FROM: 3-1-18030-0001, \$356.00 TO: 4-1-12090-5401, to refund the Commissioner's Department for merchandise that was returned.

Sheriff

Sheriff Abbott requested the Board's approval of an appropriation request to the following accounts due to extra surveillance in Deltaville: FROM 3-1-14010-0001, \$2,353.00 TO: 4-1-31020-1002, \$1,177.00 and 4-1-31020-5804, \$1176.00. There was some discussion on the request; the Board questioned if there were already funds available in the Sheriff's Department to approve the disbursements rather than making an additional appropriation. There was no action taken on the request.

COMMITTEE REPORTS:

Mr. Miller:

- Disability Services Board – A State representative was at the last meeting.

- Dragon Run Steering Committee – Mr. Miller pointed out a recent article regarding impaired waters which noted that septic tanks were not the problem and the 100 foot setback from the shoreline had not improved water quality, the problem is further upstream.

Mrs. Weber:

- Regional Jail – The Jail will be replacing the air conditioning system and updating the security system.
- Courthouse Committee – Mrs. Weber presented the color charts

Mr. Jessie:

- Social Services – Mrs. Fitchett will be working on updating the department's personal leave policies.
- Airport Committee – Wings and Wheels was a successful event.
- Museum – gearing up for upcoming Saluda celebration, courthouse groundbreaking and dedication of Puller Park.

Mr. Williams:

- Planning District Commission – Mr. Williams disagreed with voting on endorsement of the park bond issue as this will be a matter decided by voters.

HIGHWAY MATTERS

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

Route 620: A signal study for this intersection with Route 33 was underway.

Grasscutting: A final cut of primary roads was scheduled to begin October 9.

Route 3/33 intersection: Mr. Crittenden requested additional study of the intersection of 3 and 33 at Harmony Grove Church and suggested that additional warning devices be installed to help eliminate accidents.

Hartfield Park and Ride: Mr. Culley requested that VDOT crews cut the grass at the Hartfield Park and Ride.

Six-year Secondary Improvement Plan Worksession: Paved and unpaved projects listed on the current six-year plan were presented. A public hearing was scheduled for October 15, 2002. It was noted that the Board may wish to consider appointing road viewers to review requests for rural addition funding.

Hilliards Mill Pond: Joe Longton, Acting President of the Hilliard's Mill Pond Homeowner's Association updated the Board on actions toward repair of the dam at Hilliard's Pond. According to Mr. Longton, the homeowners would be meeting that evening to vote on becoming an official association. A contractor has been hired to perform the work, at a cost of \$79,900, with a 60-day construction time, including the application, permitting and construction phases. Mr. Longton questioned the Board regarding the availability of the maximum of \$40,000 to be contributed by VDOT. Mr. Soberick stated that the Board would reimburse the Association up to \$40,000 after construction was complete and would then request the monies be reimbursed by the Department of Transportation.

SCHOOL MATTERS

Mr. Myers was unable to attend the meeting.

Mrs. Nancy Jackson stated that she and several other concerned citizens had presented petitions with almost 600 signatures to the School Board at their September 16th meeting requesting that the gymnasium at the new elementary school be named in honor of John "Buddy" Moore, school board member and the Board's project manager on the project. Mrs. Jackson noted that Mr. Moore had worked for both boards and saved the County much money because of his dedication to the project.

Board members commented on the excellent work of Mr. Moore. Mr. Soberick advised the Board that the decision on whether or not to name the facility and who to name it in honor or memory of was the School Board's, however, the Board of Supervisors could support the concept and suggest a name.

The motion to support the concept of naming the gymnasium and requesting that the gymnasium be named in honor of Mr. Moore was made by Mrs. Weber, seconded by Mr. Jessie and carried unanimously.

Middlesex County, Virginia
Board of Supervisors

Whereas, the Middlesex County Board of Supervisors undertook the largest school capital building program in County history to finance the construction of a new elementary school and renovation and construction at the high school; and

Whereas, the Board of Supervisors appointed School Board member John M. "Buddy" Moore to serve as their project manager for these projects; and

Whereas, Mr. Moore spent many hours developing financing alternatives, selling bonds locally, and assisting the Industrial Development Authority in obtaining Bond Financing which has now been considered as a model for other School Systems to follow; and

Whereas, Mr. Moore, spent untold hours overseeing the design and construction of the new elementary school; and

Whereas, Mr. Moore worked effortlessly on behalf of the taxpayers of Middlesex County; and

Whereas, Mr. Moore's continued leadership and perseverance kept the project on schedule and under budget;

Therefore be it resolved, that the Middlesex County Board of Supervisors supports the citizens' request before the Middlesex County School Board to consider the concept of naming the gymnasium at the Middlesex Elementary School, and

Be it further resolved, that the Board of Supervisors of Middlesex County supports the naming of the gymnasium at the Middlesex Elementary School in honor of John M. "Buddy" Moore.

Adopted this 1st day of October, in the two thousand and two year of our Lord.

BAY AGING

Mr. Allyn Gemerek, Director of Bay Aging, and Renae Payne, Coordinator of Senior Programs, were present to request that their agency use a portion of the Puller Center for their senior programs and further requested that due to their budget cuts, the Board allow them to use the facilities at no cost. The motion to approve leasing the facilities to Bay Aging at no cost was made by Mr. Crittenden, seconded by Mr. Miller and carried unanimously. Mrs. Payne advised that the basic program was Monday, Wednesday and Friday, however, the Agency could use the facility as much as six (6) days; she would like to strive for an adult daycare on Tuesday and Thursday.

DRAGON RUN SPECIAL AREA MANAGEMENT PLAN

Mr. Frank Herrin, Vice Chairman of the Dragon Run Steering Committee and Mr. David Fuss, from the Planning District Commission, were in attendance to request the County's participation in the Dragon Run Special Area Management Plan. The purpose of the Agreement is for each county in the Dragon Run watershed to formally acknowledge their awareness of the Special Area Management Plan project and their acceptance of the general goals and objectives laid out in the Agreement. Three goals of the plan are: establish a high level of cooperation and communication between counties to adopt consistent policies; foster educational opportunities; and promote landowner stewardship. Separate objectives are given under each goal. By entering into the Agreement with the PDC and the other three counties in the watershed, Middlesex County would agree to consider the recommendations to achieve the goals and objectives. With regard to land use policies, the Middlesex Zoning Ordinance is held up as an example.

The motion to enter into the Agreement was made by Mr. Miller, seconded by Mrs. Weber and carried unanimously.

VIRGINIA RIVER COUNTRY VISITOR'S GUIDE

Mrs. Andrea Holt requested the Board's renewal of a full page ad in the Virginia River Country Visitor's Guide, for a cost of \$1400.00. Mr. Culley requested that there be some ability for counties to rotate their advertisement to the back cover and that the colors for the Middlesex ad be brightened. Mrs. Holt noted that she would also like to add information about the number of boats in Middlesex. The motion to approve renewal of the ad for \$1400.00 and appropriating the same, was made by Mrs. Weber, seconded by Mr. Jessie and carried unanimously.

EMPLOYEE HEALTH INSURANCE

Dan Gore, an insurance broker with Rutherford Insurance, was present to discuss the renewal rates for employee health insurance, an increase of 12.2% for the HMO and 12.6% for the PPO. Mr. Gore noted that he did not work for Southern Health and could receive bids from all medical insurance companies, however, did he did not feel the County would get better rates from any other companies.

Representatives from the Department of Social Services noted their hardship with any increases to the employees for health insurance, as they had received no pay increases since 1999. Action was tabled until the October 15, 2002 meeting.

COX LANDING

Charles Dawson from Bay Design, explained the survey that was performed at the County's Cox Landing property. The survey shows that the pier in question at earlier meetings is not on the County's property and no record of a deed for a public landing was found. The Board agreed that it would accept bids for selling the land.

VOTING CREDENTIALS

The motion to appoint Mr. Williams as the voting representative at the upcoming Virginia Association of Counties Annual Meeting, and naming Mr. Jessie as alternate, was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously.

APPROPRIATION REQUESTS

Refund: FROM: 3-1-18030-0005, \$649.00 TO: 4-1-31020-5408, \$649 for Reimbursement (less deductible) for repairs to damaged vehicle. Motion by Mr. Crittenden, seconded by Mr. Miller and carried unanimously.

Sports Complex Lighting: FROM: 3-1-41060-0001, \$5,000.00 TO: 4-1-71040-5101, \$5000 for additional funding needed to pay the cost of running lights on fields at the Sports Complex.

IN MEMORY OF TOMMY GILBERT

The motion to adopt the following resolution in memory of Tommy Gilbert, and ordering one presented to Mrs. Gilbert and another copy hung in the Board Room was made by Mrs. Weber, seconded by Mr. Crittenden and carried unanimously.

*Middlesex County, Virginia
Board of Supervisors*

Whereas, Thomas B. Gilbert departed this life on September 9, 2002, and

Whereas, Mr. Gilbert was first appointed to the Middlesex County Board of Zoning Appeals in September 1990, by the Judge of the Circuit Court of Middlesex County, and

Whereas, Mr. Gilbert was elected Chairman in January 1992, and faithfully served the citizens of Middlesex County in that capacity until his death, and

Whereas, Mr. Gilbert always strived to find common ground and sensible solutions for those who appeared before the Board, and

Whereas, Mr. Gilbert was a local leader and respected contractor with many years of experience, and

Whereas, Mr. Gilbert was known by his peers as a man who always had time for a friendly conversation and a understanding ear, and

Whereas, his unwavering loyalty to Middlesex County and its people were one of his many qualities that made him a respected local government leader.

Now Be It Resolved by the Board of Supervisors of Middlesex County, that it be made fully known to all those who shall follow,

To wit:

That the County of Middlesex, the Board of Supervisors, the citizens of the County, the staff and employees of the local government, and all those relatives and friends, have all suffered a great loss, and though the man may be gone, his legacy of friendship, public service and dedication shall endure for many years.

The County will be hard pressed to find another to step forward and fill the void created by his sudden and tragic death.

APPOINTMENTS

Dragon Run Steering Committee: Davis Wilson was appointed to replace Cathy Wilson on the Dragon Run Steering Committee.

Planning District Commission: Carlton Revere was suggested as someone to fill a vacancy on the Planning District Commission; Mr. Crittenden will check with Mr. Revere.

TAX ON PROBATE OF WILLS

The motion to advertise for a public hearing to collect a local tax on the probate of wills was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously.

OYSTER FESTIVAL

No action would be taken at this time regarding a request to extend the Town's boundary during Oyster Festival to allow the enforcement of health and license regulations. It was suggested that church organizations should be exempt from any requirements and that the boundary extension only extend west of the town, to Town Bridge Road. This will be worked on for next year.

Mrs. Weber offered her congratulations to Mr. Williams on being named as Captain of the Festival.

ENHANCED 911

Mr. Culley updated the Board on the status of the E-911 project.

ROOF REPAIR

The motion to accept the quote from Mr. Charlie Riley to replace the shingles on the maintenance building roof at a cost of \$1,950.00 and appropriating the same, was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

AIRPORT

A quote of \$6,500 for completion of an obstruction survey at the south end of the runway had been received from The LPA Group, the engineering firm under contract with the County. It was suggested that the Airport Committee review the proposal and action was tabled until the November meeting. Mr. Soberick suggested that the Board try and obtain a permanent easement for airspace and requested permission to try and reach a deal with Mrs. Miller, the owner of the pecan tree that is a current obstruction. The Board agreed with Mr. Soberick.

CLOSED MEETING

The motion to convene in closed session pursuant to Code of Virginia §2.2-3711. A.1 to discuss personnel issues was made by Mr. Miller, seconded by Mr. Jessie 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:

As a result of the Closed Session, there was no action.

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