

**AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, JULY 1, 2003, 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
Wayne Jessie, Sr., Jamaica District

Absent: Lenora O. Weber, Saluda District

Charles M. Culley, Jr., County Administrator
Michael T. Soberick, County Attorney

CALL TO ORDER

In the absence of Chairperson Weber, Vice Chairman, Mr. Miller called the meeting to order at 9:00 A.M. Mr. Miller opened with a prayer and Mr. Culley led the Pledge of Allegiance. It was announced that Mrs. Weber was scheduled to return home on this day following a recent surgery.

MINUTES

The motion to approve the minutes for the June 1st and June 17th meetings was made by Mr. Williams, seconded by Mr. Jessie and carried unanimously.

DISBURSEMENTS

The motion to approve the disbursements as presented was made by Mr. Williams, seconded by Mr. Crittenden and carried unanimously. Checks dated June 30, 2003, numbered 45631 through 45694, totaling \$83,882.15 and checks dated July 1, 2003, numbered 45695 through 45704 totaling \$97,051.00 were disbursed as approved.

PAYROLL

The motion to approve payroll for the month of June was made by Mr. Crittenden, seconded by Mr. Jessie and carried unanimously. Checks numbered 45530 through 45630 totaling \$173,145.13 were disbursed as approved.

CONSTITUTIONAL OFFICERS

Sheriff

Sheriff Abbott explained that digital cameras were recently purchased with a goal to have one camera per car. The digital camera can take more, better quality pictures and there is no film associated that could go bad in a hot car. The Sheriff noted that he hoped to get lights donated to light up the intersection of Ball Park Road and Route 33 following the fireworks scheduled for July 5th.

Sheriff Abbott explained the high-speed car chase, which involved Gloucester, Mathews and Middlesex deputies and State Police, through those counties and ending at Upton's Point Marina in Urbanna. A Middlesex Sheriff's Vehicle was damaged at the end of the pursuit.

Treasurer

The Treasurer reported that 92% of real estate taxes had been collected.

Commissioner of Revenue:

Mrs. Ebinger reported that the County could adopt an ordinance requiring that bondsmen doing business in the County be licensed through the County. No action was taken on this matter at this time.

Mrs. Ebinger reported that the PPTRA auditing plan had been approved by the State.

HIGHWAY MATTERS

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

Six-Year Plan: Widening of the intersection at Route 33 and Route 620 for buses and the bike path project in Deltaville are still included in the Six-Year Primary Road Improvement Plan.

Dragon Run Bridge: Repair has been completed.

Route 631: Work is scheduled for the fall.

Turning Lane Improvements: Work will begin next month.

Route 630 – Weight Restriction: This project is still being reviewed by Traffic Engineering.

Speed Limit at Hartfield: Mr. Williams questioned whether the speed limit could be raised back to 55 in the area of the old Wilton School. Mrs. Parker commented that the limit should stay at 45 approaching the Hartfield intersections to give people longer to slow to the proper speed, and especially if traffic will be increasing because of the YMCA being located at Wilton.

Accident Report: Mr. Crittenden requested that a report of the number, type and location of accidents occurring in Middlesex County be sent to the County Administrator.

Route 610: Mr. Jessie requested that guardrails be added along Route 610, Revis area in the bottom.

Bus Loops: There being no public comments received following advertisement of the intent to abandon the bus loops at the Rappahannock and Wilton Elementary Schools, Mr. Williams made a motion that resolutions be passed to abandon these loops. This motion was seconded by Mr. Jessie and carried unanimously.

Adopted by the Board of Supervisors of Middlesex County, in regular meeting on the 1st day of July 2003:

RESOLUTION

WHEREAS, a public notice was posted as prescribed under §33.1-151, Code of Virginia, announcing a public hearing to receive comments concerning abandoning the section of road described below from the Secondary System of State Highways, and

WHEREAS, the Commissioner of the Virginia Department of Transportation was provided the prescribed notice of this Board's intent to abandon the subject section of road, and

WHEREAS, after considering all evidence available, this Board is satisfied that no public necessity exists for the continuance of the section of Secondary Route 9257 Entrance to Wilton Elementary School, from Route 33 to Route 33, a distance of 0.09 miles, hereby deems that section of road is no longer necessary as a part of the Secondary System of State Highways.

NOW, THEREFORE, BE IT RESOLVED, this Board abandons the above described section of road and removes it from the Secondary System of State Highways, pursuant to §33.1-151, Code of Virginia.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer of the Virginia Department of Transportation.

Recorded Vote

Moved By: Kenneth W. Williams

Seconded By: Wayne H. Jessie, Sr.

Yeas: 4 (Williams, Jessie, Miller, Crittenden)

Nays: 0

Absent: 1 (Weber)

A Copy Teste:

Charles M. Culley, Jr., Clerk

Adopted by the Board of Supervisors of Middlesex County, in regular meeting on the 1st day of July 2003:

RESOLUTION

WHEREAS, a public notice was posted as prescribed under §33.1-151, Code of Virginia, announcing a public hearing to receive comments concerning abandoning the section of road described below from the Secondary System of State Highways, and

WHEREAS, the Commissioner of the Virginia Department of Transportation was provided the prescribed notice of this Board's intent to abandon the subject section of road, and

WHEREAS, after considering all evidence available, this Board is satisfied that no public necessity exists for the continuance of the section of Secondary Route 9259 Entrance to Rappahannock Central Elementary School, from Route 33 to Route 33, a distance of 0.11 miles, hereby deems that section of road is no longer necessary as a part of the Secondary System of State Highways.

NOW, THEREFORE, BE IT RESOLVED, this Board abandons the above described section of road and removes it from the Secondary System of State Highways, pursuant to §33.1-151, Code of Virginia.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer of the Virginia Department of Transportation.

Recorded Vote

Moved By: Kenneth W. Williams

Seconded By: Wayne H. Jessie, Sr.

Yeas: 4 (Williams, Jessie, Miller, Crittenden)

Nays: 0

Absent: 1 (Weber)

A Copy Teste:

Charles M. Culley, Jr., Clerk

COMMITTEE REPORTS:

Mr. Crittenden:

- Social Services – Mrs. Fitchett has announced her intent to retire in December.

Mr. Jessie:

- Planning District Commission – Reorganization meeting was held; all officers are the same.

Mr. Williams: No reports

Mr. Miller:

- Planning District Commission – attended open house.
- Biosolids Workshop – County can hire a testing person and submit results to the State, however, that is about all the County can do. The County can regulate that biosolids are applied and stored property, but if it is already spread there is not much to do. Assistant Administrator, Marcia Jones, commented that the Virginia Association of Counties has prepared an ordinance that has been tested in court. The Board authorized the advertisement of a public hearing on the model ordinance.

Mr. Culley:

- E-911 – Mr. Culley reported that the wireless part of the enhanced 911 system has been cut-over and is receiving data.

APPROPRIATIONS

Emergency Services – Motorola Contract – FROM: 3-1-41060-0001, \$979.00, Fund Balance TO: 4-1-36050-3005, \$979.00, Emergency Services – Maintenance Service Contracts. These funds will be used to fund an increase in the Motorola Service Agreement that was received June 4th. Motion to approve by Mr. Crittenden, seconded by Mr. Jessie, carried unanimously.

Assessor – FROM: 3-1-41060-0001, \$28,010.00, Fund Balance TO: 4-1-12100-3002, \$14,100.00, Assessor – Professional Services and 4-1-12100-1003, \$13,910.00, Assessor – Compensation, Part Time. Motion by Mr. Williams, seconded by Mr. Jessie, carried unanimously.

Insurance – FROM: 3-1-18030-0006 \$959.00 TO: 4-1-12190-5308 to fund an increase in our General Liability Insurance. Motion by Mr. Jessie, seconded by Mr. Crittenden, carried unanimously.

Parks and Recreation – FROM: 3-1-18990-0003 \$4,700.00, Parks & Recreation Revenue TO: 4-1-71010-1003, Parks & Recreation - Increase to fund instruction in this department. Motion by Mr. Crittenden, seconded by Mr. Jessie, carried unanimously.

Circuit Court Clerk – FROM: 3-1-23080-0001, \$8,752.00, Compensation Board Reimbursement and 3-1-23080-0015, \$4,528.00, Copier; TO: 4-1-21060-1001, \$3,980.00 Compensation and 4-1-21060-5401, \$9,300.00, Supplies. Motion by Mr. Williams, seconded by Mr. Jessie and carried unanimously.

ANIMAL SHELTER

Mr. Culley presented a proposal submitted by J. Mosby West to provide HVAC Engineering Design Services for the proposed Middlesex County Animal Shelter. Mr. West proposed a fee of \$2,720.00 to include design work and preparation of construction documents for competitive bid, permit and construction. Additional work, such as shop drawing review and construction administration will be billed as additional services at an hourly rate of \$85.00 per hour. The base fee includes meeting with state veterinary representatives so that the system will be designed to meet the state specifications. The motion to accept the proposal was made by Mr. Jessie and there was no second. The vote on the motion ended in a tie of 2 in favor (Jessie and Miller) to 2 opposed (Crittenden and Williams). Mr. Soberick advised that action would be continued to the next meeting for a vote.

CLAIM FOR PAYMENT

Mr. Crittenden announced that he would abstain from the discussion and vote on this item because of a family connection to the claimant.

Mr. Culley presented a request from Mrs. Lucy Crittenden Bickley requesting payment of veterinary bills associated with a dog that had been injured after being struck by a vehicle driven by the Animal Control Officer. The Officer had been at the scene investigating complaints about dogs running in the roads and chasing vehicles. After the animal was struck, Officer Sheffield took the animal to Hartfield Animal Hospital for emergency treatment to make the animal comfortable until the owner could arrive; the County has paid for this treatment, \$92.30. The owner had the dog examined at Gloucester Veterinary Hospital and then had it euthanized; treatment costing \$193.00. The motion to reject the request was made by Mr. Jessie and there was no second to the motion. The vote on the motion carried by a vote of 2 for (Jessie, Miller), 1 opposed (Williams), 1 abstention (Crittenden).

REQUEST TO WAIVE FEES

The motion to waive the fees for a pavilion being constructed at the Lower Middlesex Volunteer Fire Department was made by Mr. Williams, seconded by Mr. Crittenden and carried unanimously.

APPOINTMENTS

There was no action taken regarding appointments to the Bay Aging Board of Directors, Airport Committee, Tidewater Resource, Conservation and Development Commission, nor on a recommendation for an appointment to the Tidewater Soil and Water Conservation District.

OLD/NEW BUSINESS

Mosquitoes: Mr. Crittenden questioned the prospect of spraying for mosquitoes in the County, noting that Mathews County was looking into spraying. Mr. Culley explained that the Mathews Board of Supervisors has appointed a committee to research the issue, however, it appeared that no action would be taken at this time. Mathews volunteers are collecting mosquitoes to discern their type and habits, as different sprays and spraying times are needed for the different types of mosquitoes. The Committee had scheduled a public information meeting in Mathews County.

High School Parking Lot: Four (4) bids were received from contractors bidding on construction of a parking lot at Middlesex High School. This project was designed by Bay Design and bid from the County Administrator's Office with the bids opened and turned over to the School Board. Mr. John Moore, manager of the construction projects at the elementary and high school had requested the Board of Supervisors approve a contract for the work. Low bidder was C. W. Davis Contractors, with a bid on the total project of \$233,774.00, this including two alternates. Mr. Moore had since requested a change to the project, with a new project cost for doing the main lot and alternate 2, paving behind the school and connecting with the loop of \$209,775.00. The motion to authorize Mr. Culley to sign a contract for the work and authorizing the payment of the contract from bond proceeds was made by Mr. Crittenden, seconded by Mr. Jessie and carried unanimously.

SCHOOL MATTERS

Superintendent Michael Myers was present for the meeting along with Assistant Superintendent Cynthia Pitts, Elementary School Principal and Vice Principal Joanie Banks and Jason Perry and High School Principal David Bridges; School Board members Richard Shores, Elliott Reed and John Moore were also present.

Mr. Myers reported on national awards in technology received by high school and middle school students. Mr. Myers reported that approximately \$100,000.00 was left in the budget at the end of the school year that was used to purchase items that had been cut to balance the FY 03 budget, such as band items and two used maintenance vehicles. He further explained that 25% had been held back from each school to insure that there would be enough to make it to the end of the year. He noted also that the electricity lines had run over, partly because of holding on to the older elementary schools longer than planned and because of the extremely cold year. Mr. Crittenden requested that Mr. Myers provide the Board of Supervisors with a list of the purchases.

Appropriation Requests:

Mr. Myers commented that \$130,000.00 in additional State revenue had been received because of the increased enrollment. Of this amount, Mr. Myers requested that \$57,000.00 be appropriated to balance the FY 03 budget. Also, Mr. Myers requested that \$133,000.00 be transferred from instruction to operation and maintenance to cover higher utility bills. A motion to approve the appropriation and transfer of funds was made by Mr. Crittenden, seconded by Mr. Jessie and carried unanimously.

In response to concerns about tuition for out-of-county students, Mr. Myers explained that the School Board was studying the issue of tuition for these students. Currently, of 22 out of county students enrolled in Middlesex Schools, 8 are students of teachers. Mr. Myers explained that the school system does all it can to bring qualified teachers to the county schools and if the teacher is willing to commute then the system

should be willing to not charge them tuition to educate their children here. Five petitions have been received for enrollment for the next year. Board members encouraged the school board not to give a discount to neighboring counties who wished to place some of their children in Middlesex schools. Board members noted that Middlesex County taxpayers pay to have good schools and good teachers and there is a need to make sure that the County students are not pushed out the schools. Mr. Miller commented that the County should safeguard what it has now or make it better and not jeopardize it.

OLD/NEW BUSINESS

Extension Agent, David Moore, invited Board members to join the Extension Leadership Council on July 15th at 6:30 p.m. for a picnic dinner and announcement of the 2002 Volunteer of the Year Award winner.

ADJOURN

As there was no further business, the meeting was adjourned. The next regular meeting was scheduled for July 15, 2003.

John D. Miller, Jr., Vice Chairman
Board of Supervisors