

**AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS  
HELD ON TUESDAY, JUNE 3, 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  
Lenora O. Weber, Saluda District  
Wayne Jessie, Sr., Jamaica District

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

**CALL TO ORDER**

Mrs. Weber called the meeting to order at 9:00 A.M. Mr. Jessie opened with a prayer and Mr. Culley led the Pledge of Allegiance.

**MINUTES**

The motion to approve the minutes for the May 6, 2003 meeting was made by Mr. Williams, seconded by Mr. Miller and carried unanimously. The motion to approve the minutes of the May 20<sup>th</sup> meeting was made by Mr. Miller, seconded by Mr. Crittenden and carried by vote of 4-0-1 (Mr. Williams abstained due to his absence from the meeting).

**DISBURSEMENTS**

The motion to approve the disbursements as presented was made by Mr. Williams, seconded by Mr. Jessie and carried unanimously. Checks numbered 45294 through 45429 totaling \$222,851.42 were disbursed as approved. Mr. Williams requested that the County review accounts for wireless phones and pagers in an effort to save money.

**PAYROLL**

The motion to approve payroll for the month of May was made by Mr. Miller, seconded by Mr. Crittenden and carried unanimously. Checks numbered 45193 through 45293 totaling \$177,622.62 were disbursed as approved. The Board requested that a policy be established to clarify rates for processing Freedom of Information requests. Mr. Crittenden noted that there had been a policy established approximately 20 years ago to deal with such requests.

## **CONSTITUTIONAL OFFICERS**

### **Treasurer**

The Treasurer reported that collection of tax money was going well.

### **Sheriff**

School Resource Officer:

Sheriff Abbott requested Board action regarding a grant application for a Resource Officer. This is a 3-year grant funded through the Department of Criminal Justice, requiring the County to fully fund the 4<sup>th</sup> year of the grant. After the fourth year the County is under no obligation to fund the position. Board members voiced favorable comments about the program and requested the Sheriff contact the School System for their approval before submitting the proposal. The motion to authorize the application was made by Mr. Miller, seconded by Mr. Williams and carried unanimously.

Appropriation Request:

The Sheriff requested the appropriation of \$15,000 collected in the Court Fines and Forfeitures revenue to be used to off-set expenditures within his department, including part-time dispatch funding, police supplies, uniforms and communication equipment. Much of the fine money has been collected due to the tickets written for speeding stops, which in many cases have resulted in additional charges. This is not the same fee that is collected and set aside for courthouse maintenance and security. Sheriff Abbott explained that some of the police supplies and uniform expenditures have been for special training required because of Homeland Security initiatives. Communications equipment included the purchase of equipment for the animal control vehicle because the animal control officer at times has to stop the vehicle in the road to assist with animals. Mr. Crittenden commented that the Board should be informed of purchases involving County employees prior to their purchase.

Mr. Crittenden also commented that more patrols were needed to help prevent break-ins, like the ones that have occurred recently in the Deltaville area and suggested that the State Police should be able to handle traffic problems and running radar and the Sheriff's Department should handle other calls and investigations. Sheriff Abbott stressed that he has been able to use grant money to pay overtime to officers who normally would be off-duty to work radar and selective enforcement during peak traffic times, such as around holidays. These officers, if not working and being paid with the grant funds, would be off-duty and not on the road. However, if during the time they are working the selective enforcement a call comes in where backup to the on-duty officer(s) is needed, these officers can respond.

Sheriff Abbott re-issued his invitation to all Board members to visit him in his office or to ride on the road to see the issues that he is dealing with. Board members asked if approving the appropriation would allow the Sheriff to have more support

toward investigation of break-ins and prevention. The Sheriff responded that it would assist his entire department. Mr. Williams stated his support for using these fees for this one time, to balance the Sheriff's budget for expenditures already made. Mr. Crittenden added his support based on comments that it would provide more support on break-in investigation and prevention. The motion to approve the request for appropriation of \$15,000 from the Court Fines and Forfeitures Revenue account to various lines in the Sheriff's budget was made by Mr. Jessie, seconded by Mr. Miller and carried unanimously. FROM: 3-1-14010-0001, \$15,000.00 TO: 4-1-31020-1009, \$2,141.00, Part-time Dispatch; 4-1-31020-5409, \$3,540.00, Police Supplies; 4-1-31020-5410, \$4,433.00, Uniforms; 4-1-31020-7003, \$4,886.00, Communications Equipment.

**Radar Sign:**

Board members requested that signs indicating that speed limits were enforced by radar be placed in the County. The Department of Transportation representative indicated he would check into this.

**School Radar:**

At the May 6<sup>th</sup> meeting, representatives from the Department of Transportation indicated they had met with the Sheriff's Department and the State Police regarding their request for installation of a gravel area for parking a police car that could use radar during school zone hours. This area would be constructed using highway maintenance funds. The motion to approve the construction of the area and for the running of radar only during school zone hours was made by Mr. Miller, seconded by Mr. Williams and carried unanimously.

**Commissioner of Revenue:**

Mrs. Ebinger had nothing to report.

**HIGHWAY MATTERS**

Assistant Resident Engineer, Sean Trapani, was present for the meeting along with Maintenance Supervisor, Tommy Purcell.

**Six-Year Plan:** Widening of the intersection at Route 33 and Route 620 for buses is currently included in the Six-Year Primary Road Improvement Plan.

**Bike Path Project:** \$350,000 has been included in the tentative Six-Year Plan and VDOT is trying to figure out a way to combine this money with the ISTEAs funds to be put towards the project, which requires a 20% match of ISTEAs funds and available right of way. Mr. Culley noted that the Board was not interested in condemning right of way and the Deltaville Community Association was not able to have it donated; the Board had asked for the road to be widened to accommodate the bike path, but this was not what was approved.

**Dragon Run Bridge:** Repair will begin today on the Dragon Run Bridge on Route 17 North and should take approximately three weeks.

**Radar Letter:** Mr. Trapani requested a letter of authorization from the Board for installation of the gravel area for police cars in the school zone. Mr. Trapani will also check on the process for installing "radar enforced" signage.

**Grass Cutting:** Cutting started on June 2<sup>nd</sup> in the upper in the of the County.

**Pavement Marking:** Pavement marking has been scheduled, but cannot be done while it is wet.

**Route 3 and 33:** New signs have been installed at these intersections.

**Route 630 – Weight Restriction:** Mr. Trapani advised that the application for weight restriction would be going to the Commonwealth Transportation Board next month for consideration.

## **SCHOOL MATTERS**

Assistant Superintendent Cynthia Pitts reported that the school budget for FY 03 had been based on 1292 students and the year would end with 1327 students.

**Gymnasium:** Engineer Mosby West is working on the design for the gymnasium air conditioning project and it will be put out to bid soon.

**Invitations:** Mrs. Pitts invited Board members to attend all the ceremonies and banquets being held as part of the end of the school year and presented the Board members with a calendar of events.

## **HEALTH DEPARTMENT**

Dr. Reuben Varghese, Director, Three Rivers Health District, was present to request the Board's approval to keep \$861.10 as 100% local funding to purchase a laser transit and laser range finder, which will be used for fieldwork by the environmental health staff assigned to Middlesex County. Because of reduced funding from the state, the county match was only \$120,640.00, \$7,532.00 less what was

budgeted. The motion to approve the request was made by Mr. Crittenden, seconded by Mr. Miller and carried unanimously.

### **APPROPRIATIONS**

**E-911 Wireless and Wireline Grants** – FROM: 3-1-24040-0900, \$47,481.00 and FROM: 3-1-24040-0901, \$54,257.00 TO: 4-1-36090-3002, \$79,533.00, E-911 Professional Services; and TO: 4-1-36090-7007, \$22,205.00, E-911 ADP Equipment. These funds will be used to purchase two (2) services, several workstations and software updates; more grant funds will be forthcoming. Motion to approve by Mr. Crittenden, seconded by Mr. Jessie, carried by vote of 4-0-0 (Mr. Miller was absent from the discussion and motion).

**Virginia Tech Payment** – FROM: 3-1-41060-0001, \$4,182.00 TO: 4-1-83030-3009 to fund payment of the invoice for the 4<sup>th</sup> quarter of FY02. Motion by Mr. Jessie, seconded by Mr. Miller, carried by vote of 4-1-0 (Williams opposed).

**Auditor Services** – FROM: 3-1-41060-0001 \$5,614.00 TO: 4-1-1208-3002 to fund additional auditing services associated with PPTRA and GASB. Motion by Mr. Miller, seconded by Mr. Williams, carried unanimously.

### **PUMP AND HAUL AGREEMENT**

The motion to adopt the following resolution and to approve an agreement between the County and the Department of Health relating to pumping and hauling septic waste due to the courthouse project was made by Mr. Jessie, seconded by Mr. Miller and carried unanimously:

#### **RESOLUTION** **PUMP AND HAUL APPLICATION**

*WHEREAS, the Middlesex County Board of Supervisors has authorized the construction of the Middlesex County Courthouse Facilities; and*

*WHEREAS, part of the project involves construction of a parking area to be built in the area of the current drainfield; and*

*WHEREAS, this system will be shut down during construction; and*

*WHEREAS, the County has entered into a contract agreement for pump and haul with an approved hauler, Church View Septic;*

*NOW, THEREFORE BE IT RESOLVED, that the Middlesex County Board of Supervisors hereby requests the State Health Commissioner to issue a permit for permanent pumping and hauling pursuant to §3.11 of the Sewage handling and Disposal Regulations; and*

*BE IT FURTHER RESOLVED, that the Middlesex County Board of Supervisors will cease pumping and hauling operations upon connection to the new sewage treatment system.*

<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>

### **LEASE – PULLER BUILDING**

The Community Services Board has submitted a request indicating their desire to continue to lease a portion of the Puller Center for their administrative services. The motion to continue the lease for a one-year period, effective July 1, with an increase in rent adjusted with the consumer price index was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

### **NATIONAL ASSOCIATION OF COUNTIES CONFERENCE**

The Virginia Association of Counties is soliciting contributions of a minimum \$1,000.00 per county in support of Virginia's hosting the NACo Annual Conference in July 2007; larger counties may contribute more. Mrs. Weber requested more information on the proposed expenses before asking for a decision from the Board.

### **COMMITTEE REPORTS:**

Mr. Crittenden:

- Airport – Bob Crump was at the May 20<sup>th</sup> Board of Supervisors meeting and updated them on the Committee's meeting from May 19<sup>th</sup>.

Mr. Jessie:

- Social Services – The Department has received several awards for their adoption program and food stamp program.

Mr. Williams:

- Tidewater Resource, Conservation and Development – attended the awards banquet.

Mr. Miller:

- Tidewater Resource, Conservation and Development – attended the awards banquet; conservation is being stressed.
- Library Board – A computer use policy has been established.

- Rotary Ethics Luncheon – attended luncheon with high school students and business leaders in the County; sponsored by the Rotary Club.
- Solid Waste – The Department of Environmental Quality will be sending someone to the Planning District Commission meeting to discuss shutting down old landfills.
- Biosolids Workshop - Mr. Miller will be attending a biosolids workshop on June 16<sup>th</sup> in Hanover.

Mrs. Weber:

- VACo – continued discussion regarding unfunded mandates.
- Regional Jail – timber cutting has been delayed.
- Courthouse Project – 20 working days delayed due to rain. Mrs. Weber and Mr. Culley will be meeting with the judges June 4<sup>th</sup> regarding furniture. Comments received from several attorneys appear to be comparing the proposed Middlesex facility to Gloucester and York; some of their concerns have already been addressed in the design phase.

## **YMCA**

Co-chairs of the Founder's Committee, Carolyn Schmalenberger, Carolyn Wake and Chuck Ylonen were present along with approximately 40 committee members to make a formal request for the Wilton School property for use as a YMCA. Bob Henkel indicated that the group was prepared to discuss a lease arrangement for the facility and would present why this facility was the most suitable to their needs. Mrs. Schmalenberger, stated that the Rappahannock Central Elementary Cafeteria does not offer room for expansion and parking would be a problem. Several citizens including Charles Bristow, Jerry Suyes and Chuck Ylonen, and student, Jill Hester, all spoke during the presentation to endorse the project. It was proposed that the YMCA enter a five-year lease/purchase agreement with the county and be approved to make renovations to the building to accommodate their programs. A capital budget of \$350,000 has been developed and a little over \$100,000 has been collected from the Founder's Committee alone. This budget includes \$150,000 to fund the first three (3) years of operations, \$100,000 for renovations, \$25,000 for site preparations, including the parking area, and \$75,000 for furniture, fixtures and equipment.

Following the presentation, each Board member made comments. Mr. Williams expressed his endorsement of the project. He added that the YMCA Committee was a good representation of the taxpayers of the County, the real owners of the Wilton property and the Board should do anything to help them. Mr. Miller suggested that the Board table action on the project. Mr. Miller also requested citizens contact him directly if they had a problem with any of his decisions rather than making threats to run a candidate against him. Mr. Jessie agreed with the suggestion that a decision be

tabled. Mr. Crittenden presented his endorsement of the project. Mrs. Weber agreed with tabling a decision while lease arrangements can be addressed and suggested that a decision be made at the Board's meeting on June 17<sup>th</sup>.

Mr. Henkel and Mr. Ylonen thanked the Board for their time. Mr. Ylonen commented that the group was ready to make presentations at church and civic club meetings and asked for the Board's support.

Mrs. Weber requested that Mr. Culley meet with representatives of the group to get a formal proposal and financial information.

## **OLD/NEW BUSINESS**

### ***Animal Shelter:***

As an update on the dog pound project, Mr. Culley commented that the plan had gotten smaller in size. He would be working with the State veterinarian's office to insure compliance with State requirements.

## **CLOSED SESSION**

The motion to convene in closed session regarding personnel issues, pursuant to §2.1-3711.a1 was made by Mr. Jessie, seconded by Mr. Miller and carried unanimously.

Upon reconvening in open session, the following motion was made by Mr. Williams, seconded by Mr. Crittenden 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 as 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 taken.

## **ADJOURN**

As there was no further business, the meeting was adjourned. The next regular meeting was scheduled for June 17, 2003.

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Lenora O. Weber, Chairperson  
Board of Supervisors