

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, JULY 6, 2004, IN THE BOARD ROOM OF THE
WOODWARD BUILDING, SALUDA, VIRGINIA:

Present: Lenora O. Weber, Saluda District
Kenneth W. Williams, Pinetop District
Fred S. Crittenden, Pinetop District
Wayne Jessie, Sr., Jamaica District
John D. Miller, Jr., Saluda District

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

CALL TO ORDER

The Chairperson, Mrs. Weber called the meeting to order at 9:00 A.M. Mr. Williams opened with a prayer; Mr. Culley led the Pledge of Allegiance.

MINUTES

The minutes for the meetings of June 1st, June 7th and June 15th were reviewed. The motion to approve the minutes as written was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

DISBURSEMENTS

The motion to approve the disbursements as presented for June 30th and July 6th was made by Mr. Williams, seconded by Mr. Jessie and carried unanimously. Checks numbered 48964 through 49049 totaling \$116,317.76 for June 30th and numbered 49050 through 49093 totaling \$196,424.56 for July 6th were disbursed as approved. A replacement check in the amount of \$11,041.00 to pay off the Intrepid in the Sheriff's Department was included to replace one dated June 1st that had been lost after mailing. Monies were also included to pay off the Sheriff's Yukon.

PAYROLL

The motion to approve payroll for the month of June was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously. Checks numbered 48863 through 48962 totaling \$188,904.67 were disbursed as approved.

QUARTERLY APPROPRIATION

Mr. Culley advised the Board that appropriating money quarterly to the school system would also require quarterly appropriations to County departments, and amending the appropriation resolution previously adopted. The County's computer system cannot do quarterly upgrades as would be required, thus putting the County back to almost a manual system of bookkeeping. Mr. Culley advised that even though the Board approved quarterly appropriations to the school system, it is by categories, and is such a large budget that there is still enough money in each category for them to make large purchases. Action would be taken later in the meeting to rescind the previous action by the Board to require quarterly appropriation of the school budget.

CONSTITUTIONAL OFFICERS

Treasurer:

The Treasurer requested amending the county tax ordinance to change the decal deadline to March 15th. Changing the deadline would allow the Commissioner of the Revenue time to match her list of vehicles owned in Middlesex County with the DMV file and allow the Treasurer to have a more accurate list for decal sales. The DMV file is not received until mid to late January; the decals would go on sale February 1st, with a deadline to March 15th. The motion to advertise the amendment for the August meeting was made by Mr. Crittenden, seconded by Mr. Miller and carried unanimously. In addition, the Treasurer announced that she was planning on mailing decal applications in hopes of processing more by mail, and has included money in her budget to cover postage.

Commissioner of Revenue:

Mrs. Stephenson announced that her department had passed a recent PPTRA audit conducted by the State.

Sheriff

Sheriff Abbott was present to request the Board approve an appropriation of \$9,260.00 for the purchase of equipment to assist with undercover operations. After confirmation that there were monies remaining in three of the sheriff's accounts from FY 04, the motion was made to roll money from the fund balance to cover the purchase. The motion to approve the appropriation was made by Mr. Crittenden, seconded by Mr. Miller and carried unanimously: FROM 3-1-41060-0001, \$9,260.00 TO: 4-1-31020-5409, Sheriff's Equipment.

COMMITTEE REPORTS:

Mr. Crittenden:

- Airport Committee – Committee met in the newly renovated terminal building. Commended Maintenance Supervisor, John Blake, and his crew for the work they did to renovate the building.

Mr. Jessie:

- Social Services – The mileage rate has been changed to 32.5 cents per mile for using personal vehicles. Currently interviewing for senior eligibility worker and eligibility worker.
- Museum Board – Baseball exhibit has started. Mrs. Jones reported that the Museum has taken two flags for display for sale.
- Oyster Festival – Bay Transit will be used to shuttle visitors.
- Sports Complex – looking into a sprinkler system for some of the fields.

Mr. Williams:

- Planning District Commission – Discussed land conservancy.

Mr. Miller:

- Tidewater Resource Conservation and Development – discussing alternative fuel sources and water reclamation
- Workforce Investment Board – officers are in place; procedures are in place
- Dragon Run Steering Committee – working on plans for DragonFest at Rappahannock Community College

Mrs. Weber:

- Regional Jail – continuing to cut corners
- Construction Meeting – hoping for some resolutions between contractor and architect to resolve damp basement issue.
- Sports Complex – planning to irrigate the soccer field and one ball field. Starting a football program with the YMCA. There are already 4 teams of 8-13 year olds established.

HIGHWAY MATTERS

Assistant Resident Engineer Sean Trapani was present to represent the Department.

Route 631 Project: The project has started with the contract ending May 2005, however, it should finish this calendar year.

Mowing: Mowing primary roads will start July 12

Kilmer's Point: A contract to trap beavers has been issued.

Amburg: Mr. Crittenden requested the speed limit be lowered to 35 in the Amburg area, where there are grocery stores, retail shops and road construction. According to Mr. Trapani, because Route 33 is a primary road, VDOT cannot put up a temporary speed limit sign without a study. Also, installation of "dangerous intersection" signs are controlled by Fredericksburg. The motion to issue a formal request for the speed limit to be lowered in this area was made by Mr. Crittenden, seconded by Mr. Williams and carried unanimously.

HB 899: Lowering the speed limit in the area allowed for golf carts by House Bill 899 is controlled through the local VDOT office because it is on a secondary road and no study is involved. Signs will be erected by the end of the month.

SCHOOL MATTERS

Mrs. Weber welcomed new Superintendent, Dr. Oliver Spencer, to the meeting. Assistant Superintendent, Cynthia Pitts, was also present.

Appropriation for Electric and Fuel Oil:

No action was taken on the request to appropriate \$63,522.00 for overages in electric and fuel oil charges. The amount requested needs to be verified by checking the bills submitted.

Construction and Financing Authorization:

At their meeting on June 16th, the School Board adopted a resolution requesting that the current chairman and vice-chairman of the School Board be appointed as authorized representatives of the Board of Supervisors to replace John Moore, former school board member and chairman, to be able to sign off on requests for spending the money remaining in the school construction project account. According to Dr. Spencer, bills could be paid in a more timely fashion if representatives of the school system were the authorized persons to sign off on payments.

Mrs. Weber recommended that the entire amount remaining in the account be applied to debt service. Mrs. Pitts noted that there were several outstanding bills that

needed to be taken care of – wiring at the High School and the fence at the Elementary School. Payment requests had been submitted to Mr. Moore, however, he had not transmitted them to the Treasurer for payment. Mr. Culley commented that Mr. Moore had indicated the work had been done appropriately. Mrs. Weber stated that she would personally do her best to see that the outstanding bills are paid, but that the rest should go to debt service.

Mr. Crittenden commented that Mr. Moore was appointed as a businessman, who had given up two years of his life to volunteer overseeing the construction projects, not as a school board member. Mr. Miller added that closing the account would be a good way to start fresh. Mr. Williams suggested that the remaining money be used to put a roof on the east side of the high school and that Mr. Crittenden and Dr. Spencer could possibly work together to oversee the money, rather than closing the account. Mr. Culley noted that the County would still have the funds, it would remain in the general fund rather than being used to pay off the debt service later. The motion authorizing Mr. Culley to apply the remaining balance to debt service was made by Mr. Crittenden, seconded by Mr. Miller and carried unanimously.

Budget:

Mr. Culley informed the school representatives that the Board of Supervisors would be reversing their previous decision to appropriate the school budget by quarters. The motion to approve the school budget and adopt the following resolution, appropriating for the entire year, was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

**2004-2005 MIDDLESEX SCHOOL BUDGET
APPROPRIATION RESOLUTION**

WHEREAS, the Middlesex County Board of Supervisors has heretofore received a budget from the Middlesex County School Board; and

WHEREAS, the Middlesex County Board of Supervisors has held a public hearing for the School Board's Budget for fiscal year 2004-2005; and

WHEREAS, the Middlesex County Board of Supervisors has included funds in the County General Fund for School Operations Fund in the amount of \$5,382,969.00, and in the School's Textbook Fund of \$46,531.00, and in the School's Capital Improvement Fund of \$50,000.00, and

WHEREAS, the Middlesex County School Board has adopted a General School Fund Budget for the fiscal year 2005, and

NOW, THEREFORE, BE IT RESOLVED that the Middlesex County Board of Supervisors hereby appropriates to the following categories the Middlesex County General School Fund Budget:

<i>Instruction</i>	<i>\$7,937,242.00</i>
<i>Administration, Attendance & Health</i>	<i>\$651,257.00</i>
<i>Pupil Transportation</i>	<i>\$681,689.00</i>
<i>Operation & Maintenance</i>	<i>\$1,101,005.00</i>
<i>Debt Service - Local Money</i>	<i>\$788,858.00</i>
<i>Total School General Fund</i>	<i>\$11,160,051.00</i>

B E IT FURTHER RESOLVED THAT the Middlesex County Board of Supervisors hereby appropriates to the School Food Fund, the School Textbook Fund, and the Capital Building Fund, the following amounts:

<i>School Food Fund</i>	<i>\$433,011.00</i>
<i>Textbook Fund</i>	<i>\$46,531.00</i>
<i>Capital Improvement Fund</i>	<i>\$50,000.00</i>
<i>Capital Building Fund - State Funds - Debt Service</i>	<i>\$243,456.00</i>

Roof Projects:

Mrs. Pitts advised that a visit to other roof projects would be rescheduled for a time more convenient for Mr. Culley and Mr. Crittenden. The report on the mold study has not been received yet.

Mr. Crittenden was not present for the remainder of the meeting.

RED CROSS

Mary Armentrout, volunteer, and Volunteer Coordinator, Ellen Allen, from the Middlesex Unit of the River Counties Chapter were present to request the Board's adoption of a proclamation declaring August to be Red Cross Month. The motion approving this request was made by Mr. Williams, seconded by Mr. Miller and carried unanimously (4-0, Crittenden absent). The proclamation would officially be presented at the August meeting.

*Middlesex County, Virginia
Board of Supervisors*

Whereas, June 1st marked the start of the 2004 hurricane season, it seems appropriate that we reflect on the damage and trauma produced this past year by Hurricane Isabel in our local areas. Because of the selfless efforts of many individuals who worked before, during and after the disaster, suffering and inconvenience were kept to a minimum.

The Red Cross played a major role in the organization and follow-through of these important efforts, and continues to provide help throughout the year to individuals in personal crisis. Let it be noted, that our local Red Cross disaster volunteers have already begun training, restocking greatly depleted supplies, and preparing for future unforeseen minor and major disasters and possible disasters.

Therefore, it is today resolved that August 2004 be recognized by the County of Middlesex, as American Red Cross Volunteer Appreciation month.

Be it further resolved that we call upon all of our citizens to recognize the importance of the Red Cross and the services they provide to our community by participating in their many and varied programs, and financially supporting our local Red Cross Chapter Volunteers in their efforts to achieve these goals.

Adopted this 6th day of July, in the two thousand and four year of our Lord.

Lenora O. Weber, Chairman

John D. Miller, Jr., Vice Chairman

Kenneth W. Williams

Fred S. Crittenden

Wayne H. Jessie, Sr.

SALARIES

The motion to adopt the salary schedule for County employees, with a 3% across the board increase was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously (4-0, Crittenden absent).

WORKFORCE INVESTMENT BOARD

Executive Director of the Workforce Investment Board, Michael Jenkins, was present to update the Supervisors on activities. Mr. Jenkins added that new member packets, and information for perspective members was being developed. Mr. Jenkins thanked the Board for the nomination of Mr. Miller to serve on the Board.

APPEAL OF SUBDIVISION ORDINANCE REQUIREMENT

Mr. Garland Harrow was present to request the Board's approval in appealing a requirement of the subdivision ordinance that requires that a 40-foot right of way be required to access new lots. Mr. Harrow has requested that an existing 16-foot right of way be increased to 20 feet to access a lot being created as a family subdivision. Mr. Harrow noted that if not approved, the lot, which is only 80 feet wide, would be significantly reduced in available size, as there is a 35 foot building setback and the right of way would require an additional 24 feet. The motion to approve the appeal, requiring the 20-foot access was made by Mr. Williams, seconded by Mr. Miller and carried unanimously (4-0, Crittenden absent).

TAX STUDY COMMITTEE

Mr. Robert Henkel was present representing the recently established tax study committee. Mr. Henkel informed the Board that the group was meeting every two weeks trying to come up with a long term plan for increasing revenues to the county. Mr. Williams commented that one option the committee needed to be looking into was a business license tax. Mr. Henkel requested the services of the County Attorney, which was approved by the Board as long as questions to him are put through the

County Administrator. Mr. Henkel advised that he had had no response from Sandy Powell regarding her serving on the Committee. Mr. Jessie will check with Mrs. Powell to see if she will serve or will find another representative. Mr. Henkel indicated that the group was also looking into the possibility of establishing trash disposal permits. Mr. Williams expressed his opposition to that proposal, as trash disposal is one of the few services that second home owners receive from the county.

REFUND

The motion to approve the refund of a building permit fee to Fasig Builders in the amount of \$1,010.00 withholding an appropriate amount for plan review, was made by Mr. Williams, seconded by Mr. Miller and carried unanimously (4-0, Crittenden absent).

AIRPORT GRANT

The motion to approve a grant awarded by the Department of Aviation for the installation of a ground communications unit at the airport, and approving the appropriation of \$9,000.00 for its purchase and installation and installation of a telephone line was made by Mr. Jessie, seconded by Mr. Miller and carried unanimously (4-0, Crittenden absent). The grant will allow the reimbursement of 80% of the unit cost, a maximum of \$6,800.00 by the state.

AUDIT CONTRACT

The motion to approve a contract with Robinson, Farmer, Cox Associates to perform the FY 04 audit, for a fee of 29,650.00 was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously (4-0, Crittenden absent).

COURTHOUSE – EXTENSION OF CONTRACT

The motion to extend the contract for services being performed by the Clerk of the Works was made by Mr. Jessie, seconded by Mr. Williams and carried unanimously (4-0, Crittenden absent). The extension increases the contract by \$15,300.00 the amount estimated to fund approximately nine weeks of work, taking the contract to mid-August.

APPOINTMENTS

Wetlands Board Alternate: Mr. Higgins advised the Board that the State was requiring that each local wetlands board have at least one to three alternates appointed by the Board of Supervisors who would attend meetings in place of regular members. Mr. Higgins suggested that two alternates be appointed for the Middlesex Wetlands Board. Mr. Williams expressed his opposition to the proposal, adding that the County needed to draw the line somewhere. The Board questioned what Lancaster County was doing. There was no further action at this time.

Airport: There was no action on appointment or reappointment of members.

APPROPRIATION REQUESTS

Roof:

The motion to approve the appropriation of \$78,100.00 to the FY 04 budget, the amount previously approved for re-shingling the buildings in the Courthouse Complex, was made by Mr. Williams, seconded by Mr. Miller and carried unanimously (4-0, Crittenden absent). FROM: 3-1-41060-0001 TO: 4-1-43020-3004.

Juvenile Detention:

The motion to approve the appropriation of \$14,304.00 to the FY 04 budget, the amount required to fund additional detention costs, was made by Mr. Jessie, seconded by Mr. Williams, and carried unanimously (4-0, Crittenden absent). FROM: 3-1-41060-0001 TO: 4-1-21050-3005.

Homeland Security Equipment Grant:

The motion to approve the appropriation of \$25,013.00 to the FY 04 budget, the amount remaining of the 2000, 2001 and 2002 Domestic Preparedness Equipment Grants was made by Mr. Jessie, seconded by Mr. Miller and carried unanimously (4-0, Crittenden absent). FROM: 3-1-41060-0001 TO: 4-1-36050-7003.

NEW BUSINESS

Salaries

Board members requested that the salaries of all salaries employees, County and School employees, including percentage increases, be printed in the local paper.

Hunt Club:

Mr. Higgins commented that the Planning Commission would be working to establish the definition of a hunt club and other definitions in the Zoning Ordinance.

Proffers:

According to Mr. Higgins, in order to ask for or get cash proffers, the County must have an adopted Capital Improvements Plan. The Planning Commission is willing to begin work on a plan, but must have the Board's support to begin.

Personnel:

Mr. Soberick advised the Board that discussion of general personnel issues must be done in open session.

ADJOURN

Mr. Soberick informed the Board that he would not be able to attend the Board's July 20th meeting. There being no further action, the meeting was adjourned until July 20, 2004, at 7:30 P.M., in the Board Room, by motion of Mr. Miller, second by Mr. Williams, carried unanimously.

Lenora O. Weber, Chairperson
Board of Supervisors