

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, JULY 5, 2005 IN THE BOARD ROOM OF THE
WOODWARD BUILDING, SALUDA, VIRGINIA:

Present: Fred S. Crittenden, Pinetop District
Kenneth W. Williams, 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

The Chairman, Mr. Crittenden, called the meeting to order at 9:00 A.M.. Mr. Jessie led the group in prayer and Mr. Culley led with the Pledge of Allegiance.

MINUTES

The motion to approve the minutes of the June 7th, June 15th and June 21st meetings as written was made by Mrs. Weber, seconded by Mr. Williams and carried unanimously.

DISBURSEMENTS

The motion to approve the disbursements dated June 30, 2005 and July 5, 2005 was made by Mr. Jessie, seconded by Mr. Miller and carried unanimously. Checks numbered 52239 through 52344 totaling \$153,352.89 for June 30th and 52345 through 52420 totaling \$286,077.53 were disbursed as approved.

CONSTITUTIONAL OFFICERS

Treasurer

Mrs. Bray reported that tax collections were good. When questioned about dog tag sales, it was noted that \$9,380 had been collected for the year ending June 30th; this is \$3,000 more than was collected in previous years.

Commissioner of Revenue:

Mrs. Stephenson reported that she is still working on getting information regarding gross receipts from the State Department of Taxation. Other counties using

our same software have had problems since January. Mr. Culley hoped that the final connections would be made by the end of the week.

Mrs. Stephenson informed the Board of additional information she was receiving regarding the State reimbursements for 2005 PPTRA payments. According to the latest information, if the County does not receive delinquent payments for 2005 personal property taxes, then the bills are to be exonerated and sent out for the full amount, without the PPTRA credit deducted. This would save the State 70% per tax payment that they would not be reimbursing the County. The County has the potential to lose 100% of the payment if the delinquent taxpayer does not pay any toward the tax. Mr. Crittenden suggested Mrs. Stephenson write a series of articles for the local paper explaining the importance of paying personal property taxes on time.

Sheriff

No one was present to represent the Sheriff's Department.

HIGHWAY MATTERS

Assistant Resident Engineer Sean Trapani was present for the meeting.

Route 630: The design hearing was conducted on June 22nd, with not many comments regarding the design. Mr. Trapani advised that the State would not have to purchase land that included any drainfields.

Route 686: State forces are being used to build out this road; should finish in the next couple of months; will then move to Route 650.

Route 631: Mr. Crittenden commented that the ditch to the Rappahannock needs cutting back.

Route 652: Mr. Crittenden requested again that the State cut back tall grasses at the intersection of Tower Road and Route 652. Mr. Croxton of the State maintenance department advised that some of this may be off the State right of way, however, they will try to get the owner's permission to cut back. Mr. Crittenden also suggested talking to farmers about cutting back some of their corn stalks that obstruct view.

COMMITTEE REPORTS:

Mr. Miller:

- Forestry Seminar – sponsored by Tidewater Soil and Water Conservation regarding protecting forests and wildfire prevention.

Mr. Williams:

- Social Services – personnel issues discussed.

Mr. Jessie:

- Social Services Board – The Director, Dee Brown, is stressing cross-training.

Mrs. Weber:

- Courthouse Construction – to be discussed later
- School Board – nothing to report. Mrs. Weber and Mr. Crittenden attended construction meeting dealing with roof replacement at St. Clare Walker; very impressed with Clerk of Works.
- Coast Guard Hearing - have been advised by Congresswoman Davis' office that either there will be no decision or a decision will be made too late for the proposed boat races in July.

Mr. Culley:

- Communications Committee – The Committee has approved that Lavinia Thornton be named as supervisor for Dispatch. As part of this title, Ms. Thornton is to receive a total supplement of \$4,500.00 to the State reimbursed salary; she will no longer receive the \$1,500.00 stipend she received as a regular dispatcher. Supplements were approved as part of the agreement between the Sheriff and the Board of Supervisors for dispatcher services.

Mr. Crittenden:

- Airport Committee – representatives from the Airport Committee will be attending the meeting today.
- Coast Guard – The County was well represented at the hearing; there were also representatives from Mathews present. Had asked that a letter of thanks be sent to Congresswoman Davis for her assistance in the matter.

CLOSED MEETING

The motion to convene in closed session to discuss matters regarding pending legal matters involving the Courthouse and appointments, per Code of Virginia, §2.2-3711.A7, and Personnel, per Code of Virginia §2.2-3711.A1, was made by Mr. Miller, seconded by Mr. Williams and carried unanimously. 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.A7 and §2.2-3711.A1 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

SCHOOL MATTERS

Transfer:

Superintendent, Dr. Oliver Spencer, requested that the Board of Supervisors approve a transfer of \$11,454.91 from Instruction to Operation and Maintenance to balance the 2004/2005 budget. These funds will be applied to fuel costs encumbered prior to June 30th. The motion to approve the transfer was made by Mr. Williams, seconded by Mr. Jessie and carried unanimously.

Appropriation:

The motion to approve an appropriation for one-half of the funding requested for the state competitions for track, tennis and baseball was made by Mr. Miller, seconded by Mrs. Weber and carried unanimously. Total cost for these events was \$3,353.04; the Board of Supervisors will appropriate \$1,676.52 from the General Fund.

JUVENILE DETENTION

Ms. Joanne Smith was present representing the Juvenile Detention Board and to update the Board regarding the Merrimac Center, the Juvenile facility.

AIRPORT MATTERS

Airport Layout Plan: Jamie Barnhardt was present to request that the Board approve the Plan, for submission to the State Department of Aviation. The Plan is to be used as a study guide and was prepared as a projection of demographics. The need for hangar space is addressed in the Plan. Board members questioned the designation on the Plan for Delaware Corporation as FBO (Fixed Base Operator). The motion to approve the Plan, with the removal of this designation, was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously. The County is the Fixed Base Operator at Hummel.

Hangar Space: Randy Coulson addressed the Board regarding the estimated costs for construction of a 10-unit T-hangar building. The building, constructed of wood and steel is estimated at \$325,000, \$26.00 per square foot, an increase from the \$250,000, \$20.00 per square foot from two years ago. It is estimated that the revenue from the building could be \$37,000.00 per year, including \$30,000.00 in rent fees and taxes from more planes based at the field. With a ten-year payout at 4%, \$31,000.00 per year, plus insurance and maintenance costs, it was estimated that there would be a positive cash flow of \$40,000 over the ten-year period. These figures are based on using funds from the timber and land sale and financing \$275,000.00.

Card Reader: John Waldrop reported that he was gathering information on prices for installing a card reader gas pump. Approximately four (4) years ago, the prices were estimated to be between \$10,000 and \$15,000. Mrs. Weber commented that it would be better to use money from the timber and possible land sale to get the card reader in operation, as it would increase fuel sales.

BAY TRANSIT

Representatives from Bay Transit, including Kathy Vestley-Massey and Ken Pollock, the Director of Bay Aging, Allyn Gemerek, and Bay Aging Board member, Diana Pitts, were all present to request the Board's favorable action in funding an additional \$3,669.00 toward the Bay Transit Program for FY 2006. This money is the County's portion needed to cover the State match that was reduced from 25% to 15%, which will be used to match a 50% federal grant. The total deficit is approximately \$11,000.00, which is being divided between the participating localities. The motion to approve the additional \$3,669.00 was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

APPROPRIATIONS

The following appropriations were considered and all votes for approval were unanimous:

Bay Aging Reimbursement: FROM: 3-1-18030-0001, Miscellaneous Refunds, \$5,848.75 TO: 4-1-53050-5507, Bay Transit Regular FTA Service. An overpayment was made in FY 05, which was returned by Bay Transit. Motion to approve by Mr. Jessie, seconded by Mr. Miller.

Commissioner of Revenue: FROM: 3-1-41060-0001, \$4,430.00 TO: 4-1-12090-1001, \$3,346.00; 12090-2001, \$191.21; 12090-2002, \$180.00, and 12090-2005, \$712.98. These are funds to cover the expense of hiring an additional employee to handle the increased workload involved with the Business License (April – June 30, 2005). Motion to approve by Mrs. Weber, seconded by Mr. Miller.

DARE Program: FROM: 3-1-41060-0001, \$500.00 TO: 4-1-31020-5403.
Appropriation of donation made to DARE Program in FY 2005; will be used in FY 2006.
Motion to approve by Mr. Miller, seconded by Mr. Jessie.

ELECTORAL BOARD – REQUEST TO MOVE POLLING SITE

The Electoral Board had requested that the Board move the polling place for the Saluda voting precinct from the Tom Carter Memorial Gymnasium to the Public Meeting Room at the Cooks Corner Office Complex. The Gymnasium has no climate control for the comfort of the election officers or the proper maintenance of the new voting machines. Mr. Culley noted that the change would require the installation of some doors at the open doorways into the Public Meeting Room. The motion to proceed with notification to the Justice Department requesting approval of the change was made by Mr. Miller, seconded by Mrs. Weber and carried unanimously.

GRANT APPROVAL

The motion to approve a grant request and authorize the disbursement of funds for the Upper Middlesex Volunteer Fire Department in the amount of \$9,825.00 for a thermal imaging camera was made by Mr. Jessie, seconded by Mr. Miller and carried unanimously. These funds will be automatically deposited into the County's account.

ROCKINGHAM COUNTY RESOLUTION

There was no action taken regarding a request to endorse Rockingham County's resolution in opposition to proposals for removing the local government's ability to impose a real estate tax.

SALARY APPROVAL

The motion to approve the following salaries of employees for the FY 06 year, was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously:

**MIDDLESEX COUNTY EMPLOYEES
SALARIES
EFFECTIVE JULY 1, 2005**

Department	Name	Salary
10020	Colleen Miller	7.74/hr.
10020	Richard Faivre	7.88/hr.
12010	Charles Culley	89,700.00
12010	Marcia Jones	43,052.00
12010	Betty Muncy	33,600.00
12010	Donna Powell	18,926.00
12040	Mike Soberick	40,613.00
12090	Mary Noiro	18,900.00
12090 *	Jessica South	18,000.00
34010	Shirley Hart	24,586.00
34010	David Selph	41,677.00
35010	Richard Warren	22,712.00
35010	Janet Moore	10.82/hr.
35010	Mike Goodwin	10.50/hr.
35010	Odell Charnick	6.75/hr.
36090	Kevin Jordan	33,567.00
42030	Nancy Brooks	6.75/hr.
42030	Mary Bowling	7.11/hr.
42030	William Landon	6.75/hr.
42030	Jeanette Langford	7.97/hr.
42030	Cecil Perrin	6.75/hr.
42030	Duval Robins	6.75/hr.
42030	Donald Rowland	6.75/hr.
42030	William Sibley	6.92/hr.
42030	Franklin Smith	6.75/hr.
42030	Jennifer Uphold	7.31/hr.
43020	John Blake	15.60/hr.
43020	John Dunlevy	9.40/hr.
43020	Henry French	9.03/hr.
43020	Roberta Osbourne	17,426.00
43020	Ed Nelson	8.12/hr.
71010	Karen Reed	21,840.00

81010	Matthew Higgins	44,990.00
81040 **	Christina V. Greene	25,000.00
81040	Cathy Shiflett	22,265.00
82040	Amy Easterbrook	27,038.00

* Increase effective 11/1/2005 with 6-month evaluation

** Starts 7/11/2005

DELTAVILLE MARITIME MUSEUM

At last month's meeting, the Board of Supervisors suggested that the Deltaville Maritime Museum submit their request to serve alcohol to the Board in writing. A request has been made. The motion to approve alcoholic beverages being served under the following conditions was made by Mr. Williams seconded by Mrs. Weber and carried unanimously:

1. Alcoholic beverages may be served to members and invited guests of the Museum up to twelve times a year on special occasions in connection with public relations and fundraising events for the park and museum.
2. Events are to be under the direct control of members of the Board of Directors.
3. No alcoholic beverages are to be stored aside from the specified events.
4. The museum board must obtain approval from the ABC Board for such events
5. The museum board must notify the County Administrator's Office prior to an event.

Mr. Williams requested that work proceed on cleaning up the nature trail at the museum property. Mr. Culley advised that he was working on getting prices for the work.

HEALTH DEPARTMENT SIDING

The motion to award a contract to ProCraft of Virginia, at a revised price of \$19,243.00, to apply vinyl to the Health Department was made by Mr. Williams, seconded by Mr. Miller and carried unanimously.

MAINTENANCE AGREEMENT

York International has revised their proposed service agreement, removing references to arbitration in Pennsylvania. The service agreement includes maintenance service on the two chillers, two boilers, five air handler units and variable frequency drives in the new courthouse and includes four preventive maintenance visits per year. The fee for this service would be held at \$21,120.00 per year for the first two years; years three, four and five are subject to increases not to exceed 3%.

The motion to enter into a service agreement to be accepted at substantial completion and appropriating \$21,120.00 for the first year was made by Mr. Jessie, seconded by Mr. Miller and carried unanimously.

MP-NN COMMUNITY SERVICES BOARD - LEASE

There was no action taken to reduce the lease payment required by the Middle Peninsula – Northern Neck Community Services Board for renting their portion of the Puller Building.

NORTH END LANDING

After review of the survey showing the County property at Tax Map 40-6-9A, the Board offered no objection to the pier project proposed for Philip Isbell, on an adjoining lot.

APPOINTMENT

The motion to reappoint Priscilla (Bonnie) Davenport to a position on the Planning Commission representing the Saluda District, beginning July 1, 2005 – June 30, 2009, was made by Mrs. Weber, seconded by Mr. Miller and carried unanimously. Mrs. Weber noted that she would meet with the Planning Director to discuss ways to lower the size of the Commission, should that be the desire of the Board of Supervisors.

ABANDONED PROPERTY

The motion to have a letter written to Mrs. Elizabeth Nuckols stating that the County was assuming no responsibility for removing farm equipment from her property, was made by Mrs. Weber, seconded by Mr. Jessie and carried unanimously.

PROPOSED ZONING AMENDMENT

Mrs. Weber had questions concerning the certified letters that had been sent to owners of property that is 40 acres in size or greater. According to Mr. Culley, these letters were sent out because these property owners would be affected if the Board of Supervisors approves a proposed zoning amendment submitted by David Cottrell. The proposal would require all landowners of 40 acres or more to rezone into a planned development community district prior to developing their land. Over 300 letters were sent out, costing over \$1,000.00.

CLOSED MEETING

The motion to convene in closed session to discuss matters regarding personnel, per Code of Virginia, §2.2-3711.A1 was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously. 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.A1 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

RECESS

The motion to recess the meeting until the regular meeting on July 19, 2005 at 7:30 P.M., or calling a meeting if necessary to meet sooner, was made by Mr. Miller, seconded by Mr. Jessie and carried unanimously.

Fred S. Crittenden, Chairman
Board of Supervisors