

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, AUGUST 1, 2006, IN THE BOARD ROOM OF THE
WOODWARD BUILDING, SALUDA, VIRGINIA:

Present: John D. Miller, Jr., Saluda District
Kenneth W. Williams, Pinetop District
Wayne Jessie, Sr., Jamaica District
Fred S. Crittenden, Pinetop District
Robert A. Crump, Saluda District

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

CALL TO ORDER

The meeting was called to order at 9:00 A.M. by the Chairman, Mr. Miller and opened with prayer by Mr. Miller and Pledge of Allegiance led by Mr. Culley.

MINUTES

The motion to approve the minutes of the July 5th and July 18th meetings as presented was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously.

DISBURSEMENTS

The motion to approve the disbursements as presented was made by Mr. Jessie seconded by Mr. Williams and carried unanimously. Checks numbered 55805 through 55927 totaling \$312,477.85 were disbursed as approved.

CONSTITUTIONAL OFFICERS

Sheriff

Sheriff Abbott requested the Board consider adopting an ordinance making it a requirement for people doing controlled burning to call in the location to the dispatch office. According to the Sheriff, there have been many times that controlled burns have been mistaken as wildfires. The Board requested that Mr. Soberick draft an ordinance for consideration.

Vehicles:

The Sheriff informed the Board that of his two newest vehicles, one will be marked and the one to be used by the Captain will be unmarked. The drug investigator uses the only vehicle currently leased and the auxiliary pays the lease.

Treasurer

The Treasurer presented the delinquent list to the Board. The Board needs to vote on whether or not to advertise the list. Action also needs to be taken regarding personal property decals and whether or not to change the current requirement to purchase a decal annually.

Commissioner of Revenue:

There were no comments from the Commissioner.

HIGHWAY MATTERS

Resident Administrator, Marcie Parker, was present representing VDOT.

Signal Study at Route 3 and 33:

According to the signal study, a signal is warranted at the intersection of Route 3 and 33 at Harmony Grove; Mr. Ogle has concurred, however, there is no funding currently available for the installation. This project will be put in the list of other signals approved for the district.

Route 620 signal:

VDOT is waiting for a field inspection of the site and hopes to install the signal in the fall.

Grass Cutting on Side Roads:

Mowing is proceeding

Rt. 628:

Route 33/17/618 Intersection in Saluda:

Workers will finish the installation of the loop detectors at this intersection within the week. VDOT personnel will then reset the lights.

Urbanna Bridge:

Work on the Urbanna Bridge will be done after the Oyster Festival and before Art on the Half Shell in May. The bridge will be restricted to one lane with a temporary signal.

Budget Issues:

The Route 630 project will be delayed due to budget cuts; construction could be pushed off for two years. Mr. Ogle wants it to be this year and is working on alternative funding.

Healy's Mill:

The Commissioner has agreed that funds in the County's secondary highway improvement budget can be used for the study of repair solutions at Healy's Mill. The Commissioner has requested an official resolution from the Board that will confirm the letter that was sent. Mrs. Parker will check to see if a copy of the adopted minutes from the meeting with the Board's action to request the study will suffice. There will be further review to make sure that the \$5,000.00 limit will be enough to cover the study of the cost. VDOT is not pursuing a temporary fix because that the cost of the temporary fix will be more than the permanent fix.

Mr. Crittenden explained that this repair was a priority to the Board. Mr. Crittenden also wanted to know if the road would be open before school begins in the fall. Mrs. Parker explained that the road would not be open before school started. According to Mrs. Parker there are many environmental issues to be worked out.. School buses are not supposed to be going over the bridge due to weight limits.

Jerry Ferguson – Butylo:

Mr. Ferguson was present to request the Board's assistance with designating where his driveway would tie in with the end of State Route 600. According to Mr. Ferguson, there is a 1947 deed recorded that donated right of way in exchange for road improvements; these improvements were never made. The current pavement is in a different location from the deeded right of way. Mr. Ferguson stated that he has put in an entrance, however, it is has been tampered with. According to Mr. Soberick, the deed does not say anything about an exchange, suggesting that VDOT owns the deeded right of way and has owned it since 1947. If this is the case, then Mr. Ferguson would know where his driveway should connect and VDOT would need to mark the sides. Mrs. Parker from VDOT agreed to have the deed reviewed and will have the property marked.

Bike Lanes:

Mr. Robert Mannell of the Deltaville Civic Association was present to request that the scope of work for the bike path project be reduced in an effort to save money. The current proposal includes installation of curb and gutter storm drain for the entire section, which puts the project at an estimated cost of five million dollars without the right of way and utilities; only 1.7 million dollars has been allocated. If this project can be brought to a cost of 2.5 to 3 million dollars, the project may move forward. It has been suggested that the scope of the project could be changed to a four (4) foot paved section adjoining the other project. The motion to request a reduction in the scope of

the project and public hearing to get the project moving forward was made by Mr. Crittenden, seconded by Mr. Williams and carried unanimously.

SCHOOL MATTERS

Chairman of the School Board, Mr. James Goforth, was present to represent the School Board. Dr. Spencer was away due to a death in his family.

Health Insurance:

The School Board would proceed with using Anthem as their health insurance carrier without the County employees on the plan.

Projects:

Mr. Goforth stated that he understood that the School Board would have to come back to the Board of Supervisors to request capital outlay funds. The School Board's first priority for use of those funds was for the baseball field. Mr. Crittenden stated that the leak at the High School needed to be a priority. Mr. Goforth stated that the HVAC unit on the roof needed to be replaced first and that may solve part of the problem. It will be done this summer.

Mr. Culley commented that he had received several complaints from contractors who had questions regarding the baseball field project and no one was available to assist them prior to the bid deadline. Mr. Goforth commented that Mr. LaBrier had been out on leave. Mr. LaBrier felt that the project should have been engineered, but used the information he had to put the project out to bids. Mr. Crittenden suggested that the proposal seemed more as an invitation to add changes.

School Appropriations:

The motion to approve an additional \$2,078.13 in order for the school board to pay remaining fuel bills for 2005/06 was made by Mr. Williams, seconded by Mr. Crump and carried unanimously. 3-1-41060-0001, \$2,078.13 TO: 4-23-60010-6301. Board members also requested a copy of the year-end budget.

The motion to approve carrying over the textbook fund to FY 07 was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously. 3-1-41060-0001, \$5,166.58; TO:4-26-6300-6210.

No action was taken regarding an appropriation for a technology grant.

LOCKLIES CREEK

Gordon Jones, from Bay Design Group, was present to review the boundary line survey for the public landing at Locklie's Creek. The new survey shows the line 2.86

feet off on the Miller side and the boat ramp on the Cash side to be 1.9 feet over the County line. It was suggested that a boundary line agreement be made with the adjoining property owners to shift the lines so that the new line will run beside the ramp. The motion to agree to adjust the lines in agreement with the adjoining landowners was made by Mr. Crump and seconded by Mr. Crittenden and carried unanimously.

Mr. Jones also explained the details of the general riparian survey. It was evident that if a boat were tied across the end of the pier it would encroach into another's riparian area.

Board members discussed whether or not boats should be allowed to continue overnight mooring at this location; this is the only County dock where this is allowed. The watermen that use the dock have requested that the existing mooring poles be replaced with taller poles and that two tall poles be added between the existing poles and the shoreline to tie bowlines. Board members were in agreement that no additional boats should be allowed to use the dock. Mr. Crump made a motion to table a decision regarding all the poles. After further discussion, this motion was rescinded. Mr. Haywood Thompson requested that the watermen be allowed to continue docking the existing boats. Mrs. Nancy Denny requested the same, noting that the watermen had taken care of the facilities for many years. Arthur Kidd also requested the replacement of existing poles and new poles that would all be tall enough that lines would not come off during times of high water, such as a hurricane. Mr. Kidd said that the watermen have used this dock for years, have taken care of the dock and there have been no complaints about them using it.

Mr. Crump made a motion for the County to make an application to the Virginia Marine Resources Commission to replace the two existing pilings with two new pilings, six feet taller, and two new pilings the same height for bowlines. There are also to be a maximum of four boats allowed at the dock, two per side. This motion was seconded by Mr. Jessie and carried unanimously.

HAMPTON ROADS SANITATION

The motion to approve a sewer connection from a property at 5437 Virginia Street to the Urbanna Wastewater Collection System was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously. This property is outside the sewer service area established by Middlesex County, and as such, it is the policy of the Hampton Roads Sanitation District to require that the property owner seek the County's approval for the connection.

APPROPRIATION

The motion to approve the following appropriation was made by Mr. Williams, seconded by Mr. Crittenden and carried unanimously: FROM: 3-1-18030-

0006,\$3,500.37, Insurance Reimbursement TO: 4-1-12190-5300, Insurance Claim for reimbursement for equipment damaged in the June 27th lightning strike at dispatch.

REASSESSMENT

Mr. Miller appointed Mr. Crump to serve on the interview committee with Marylou Stephenson and Mr. Culley for interviewing the four (4) companies who responded to the County's request for proposal for assessment services.

COUNTY LICENSE

The motion to have the Treasurer proceed with whatever is needed for having permanent decals was made by Mr. Williams, seconded by Mr. Crump and carried unanimously.

PLANNING ISSUES – COMPREHENSIVE PLAN

Planning Director, Matthew Higgins, reported that two firms, who had responded to the County's solicitation to update the comprehensive plan, would be interviewed on August 14th. It was requested that the money in the previous year's budget be rolled to the current budget. This would be a 12-18 month process. Board members requested that state mandates be included as an appendix to the county plan.

MILEAGE REIMBURSEMENT

The motion to approve an increase in the mileage reimbursement to \$0.44 per mile was made by Mr. Williams, seconded by Mr. Jessie and carried unanimously.

COMMITTEE REPORTS:

Mr. Crump: Reported on recent planning activities related to emergency services.

Mr. Williams: Attended the Social Services Board meeting. Reported that the Social Services vehicle is not dependable and the department would be looking into getting a new vehicle.

Mr. Jessie: Attended no meetings during the previous month

Mr. Crittenden: Attended the Jail Board meeting. There was no Airport Committee meeting.

Mr. Miller: Attended the Jamestown 2007 Committee meeting as well as the Dragon Run Steering Committee meeting and the Planning District Commission.

APPOINTMENTS

Social Services: The motion to appoint Bonnie Glascock to take the position previously held by Jack Fackler, Saluda District, on the Social Services Board was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously. This will be a four (4) year term expiring June 30, 2010.

Wetlands Board: The motion to reappoint Dale Taylor as a Saluda District representative on the Wetlands Board was made by Mr. Crump, seconded by Mr. Williams and carried unanimously. This will be a five (5) year term, expiring June 30, 2011.

Building Code Appeals Board: The motion to reappoint all members of the Building Code Appeals Board subject to their acceptance was made by Mr. Williams, seconded by Mr. Crump and carried unanimously. These members are: Ed Tinsley, John Whitehead, III, Ed Letchworth, Don Caskie, and Clinton Carter. These are all five (5) year terms, expiring June 19, 2011.

Airport Committee: The motion to reappoint the following members of the Airport Committee subject to their acceptance was made by Mr. Crump, seconded by Mr. Crittenden and carried unanimously: Randy Coulson, Jim Snider, and G. Leslie Hockman. All are at-large positions that expire in four (4) years, August 31, 2010.

Planning Commission: There was some discussion of whether or not the number of representatives to the Planning Commission should be reduced from its current number of ten; no action was taken at this time. The motion to reappoint David Johnson, Alvin Wake and Joann Hensley, all representing the Pinetop District, to four (4) year terms expiring June 30, 2010, was made by Mr. Crittenden, seconded by Mr. Williams and carried by a vote of 3-2, with Mr. Crittenden, Mr. Williams and Mr. Jessie all voting in favor and Mr. Miller and Mr. Crump voting in opposition. The Pinetop District seat currently vacant (previously held by George Harris), and due to expire June 30, 2007, was not filled.

NEW BUSINESS

Animal Shelter:

Board members requested an update on the animal shelter, which is now in use. The Board agreed to tour the site after the meeting.

William Pruitt:

The motion to draft a resolution in honor of William Pruitt was made by Mr. Williams, seconded by Mr. Crump and carried unanimously.

Middlesex County
Board of Supervisors

WHEREAS, WILLIAM A. PRUITT was appointed as Commissioner of the Virginia Marine Resources Commission in 1983 by Governor Charles S. Robb; and

WHEREAS, MR. PRUITT served in this position, being reappointed by five other governors, until his retirement effective July 3, 2006; and

WHEREAS, MR. PRUITT is widely recognized throughout the Commonwealth of Virginia for his commitment to public service; and

WHEREAS, the Middlesex County Board of Supervisors recognizes WILLIAM A. PRUITT for his years of dedicated service to the Commonwealth;

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Middlesex County Board of Supervisors expresses its sincere thanks and appreciation to WILLIAM A. PRUITT for his years of public service to the citizens of Middlesex County.

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

Fuel Farm:

Work is proceeding on the automated fuel system for the airport.

Little League Donation:

Mrs. Jones updated the Board on events following the Board's actions on July 18th to donate money to the Little League for a recent trip to State competition. The Little League would not accept the donation with the conditions that the money be used to send the team and coaches to the competition. In order to have an audit trail for the donation, the County wrote the check to Mrs. Bray, the County Treasurer, who in turn wrote a check to the coach. A copy of the Board's minutes from July 18th would be kept as a record of why the money was donated. Any unused funds would be donated to the Little League for use as they see fit. The motion to ratify the methods used for the donation was made by Mr. Jessie, seconded by Mr. Crump and carried unanimously. Mr. Williams commented that the Board would have received criticism either way – for making a donation to the trip, or not contributing. Board members agreed that there was no intent from the Board to break the rules of Little League by making a donation. Mr. Crittenden has requested a copy of the Little League regulation that prohibits accepting a donation that could be used towards competition expenses.

RECESS AND ADJOURN

There being no further business, the Board recessed to the Animal Shelter. Following a tour of the shelter the meeting was adjourned. The next regular meeting is scheduled for August 15, 2006, at 7:30 p.m.

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