

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, MARCH 7, 2006, 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
Robert A. Crump, Saluda District
Wayne Jessie, Sr., Jamaica 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 Mr. Miller. The meeting was opened with prayer by Mr. Crittenden and Pledge of Allegiance led by Mr. Culley

MINUTES

It was noted that the minutes of the January 17th meeting were corrected to include Mr. Crump as being present at the meeting. The motion to approve the minutes of the February 7th and February 21st meetings as presented was made by Mr. Crump seconded by Mr. Williams 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 numbered 54478 through 54579 totaling \$118,105.47 were disbursed as approved.

CONSTITUTIONAL OFFICERS

Sheriff

Sheriff Abbott was present to answer questions from the Board. Sheriff Abbott reported that the number of calls for his department had doubled in 2005 from 2004 and as of the end of February 2006, the number had tripled when compared with February 2005. The Sheriff indicated he was trying to save money for his department where he could, for example, doing his own routine vehicle maintenance. Mr. Crump asked if the Sheriff knew why there were so many calls. The Sheriff responded that many of the calls are for people who had problems in other localities and have brought their problems with them.

The Board considered the following appropriations. All were approved unanimously.

Insurance Reimbursement: FROM: 3-1-18030-0006, \$1,054.95 TO: 4-1-31020-5407. Motion by Mr. Crump, second by Mr. Jessie.

Fuel: FROM:3-1-41060-0001, \$15,600.00 TO: 4-1-31020-5408. Motion by Mr. Jessie, second by Mr. Crump.

Repair and Maintenance: FROM: 3-1-41060-0001, \$10,000.00 TO: 4-1-31020-5407. Motion by Mr. Crump, second by Mr. Williams.

Treasurer

Mrs. Bray requested approval of a refund for a class fee. The motion to approve the appropriation was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously. FROM: 3-1-18030-0001, \$150.00 TO: 4-1-12130-5504.

Commissioner of Revenue:

Mrs. Stephenson reported that 350 business licenses had been issued as of the end of February and a total of 658 issued as of the morning of March 7th, for total fees of \$130,846. Also, the State has reported that Middlesex County will receive \$709,635.55 each year, starting with 2006 and continuing each year, for Personal Property Tax Relief.

Mrs. Stephenson reported that she had been contacted by a citizen requesting the County adopt an ordinance allowing for the exemption of personal property tax for one vehicle if it is registered to a qualifying disabled veteran. Mrs. Stephenson presented Mr. Soberick with copies of the State Code to look into the issue.

Mrs. Stephenson also requested the Board reconsider adopting an ordinance to allow for pro-rating real estate taxes. At a hearing last year, there were questions as to whether Mrs. Stephenson could determine substantial completion in order to assess at 100%. Mrs. Stephenson reminded the Board that she already makes these determinations every January 1st. After some discussion, the Board requested that Mrs. Stephenson present her request to them again for reconsideration.

HIGHWAY MATTERS

Rt. 629

Mr. Jessie Neal, Maintenance Operations Manager, was present to represent the Highway Department. Mr. Neal presented pictures showing the cracking of the box culvert in the dam at Healy's Mill pond, which have resulted in the closing of Route 629 in that area. Mr. Neal explained that only the road bed and surface belong to the

Department of Transportation. The property, including the dam, belongs to Mr. Gene Ruark, who has been notified. The Department is waiting for his response.

Mr. Crittenden suggested the use of turtle ramps or other options to get the road opened. Tommy Purcell of VDOT, stated that the road in this area is not wide enough for two ramps. It was suggested that a temporary stoplight or something be installed to regulate one-way traffic across the ramps.

Board members also questioned why there were no notifications of cracking after previous inspections. This would have allowed the property owner to make repairs before the conditions got so bad to require closing of the road. Board members stated that repairs to the culvert need to be made by the Department of Transportation even if the property owner does not make any attempt on his own. Current State Code prohibits the use of State funds to repair dams on private property.

Rt. 3/33:

Mr. Williams requested that the Department install caution lights at the intersection of Route 3 and 33 at Harmony Village, to be activated at least on Wednesday nights and Sunday when there is a lot of church traffic at the intersection. Mr. Jessie stated that he could initiate a study.

COMMITTEE REPORTS:

Mr. Crump: No reports

Mr. Williams: Attended several Social Services Board meetings; attended Middle Peninsula Planning District Commission meeting; attended VACo Legislative Day activities.

Mr. Jessie: Also attended several Social Services Board meetings; Attended the open house for the Community Services group home in Warner

Mr. Crittenden: Attended the Airport Committee meeting – the LPA Group is negotiating with the one bidder for the fuel card reader; members of the Committee would be attending the meeting later to discuss the hangar project. Mr. Crittenden had no updates on the roof project at St. Clare Walker. Mr. Crittenden also attended the Jail Board meeting, with nothing to report.

Mr. Miller: Mr. Miller reported that the Tidewater Resource, Conservation and Development District would be assisting the Jamestown 2007 committee. Regarding VACo Legislative Day, Mr. Miller said that more was achieved on his and Mr. Williams' own than with the VACo participation.

Mr. Culley: Mr. Culley reported that he, Mr. Miller, Mr. Williams and Planning Director, Matt Higgins, met with Joan Salvadi and Nancy Miller, representatives of the Chesapeake Bay Local Assistance Department (CBLAD) and the Health Department

regarding the septic system pump out requirement. The County has always felt that this should be a health department issue, since they are the agency that has the records of septic systems. During the meeting, the CBLAD representatives backed off of some requirements and stated that the County would only be required to notify citizens of the requirements; the County would not be required to enforce the requirements. Confirmation has not been received in writing; the County will be writing its own letter to CBLAD reaffirming what was stated in the meeting. The deadline to begin notification to citizens is December.

SCHOOL MATTERS

Dr. Oliver Spencer, Superintendent, reported that the roof is completed all but installation of the snow guards and clips. Mr. Crittenden requested that a letter be sent to the Board of Supervisors stating that the project was complete.

Appropriations:

The following appropriations were all approved by unanimous vote:

Bus to be included in the FY07 budget: FROM: 3-24-41060-0001, \$58,000.00 TO: 4-24-010010-8105.

Insurance Reimbursement (computers): FROM: 3-23-018030-0006, \$14,854.50 TO: 4-23-060010-6210.

Insurance Reimbursement (light pole): FROM: 3-23-018030-0006, \$2,990.00 TO: 4-23-060010-6305.

Enrollment is 1270 students. There are currently 9 students paying non-resident tuition of \$2,700.00 each and 13 students attending that are children of non-resident employees. There are currently 35 non-resident employees: 15 at the elementary school, 3 at the middle school and 17 at the high school.

AIRPORT COMMITTEE

Frank Watson, Jamie Barnhardt and James Snider represented the Airport Committee. The Chairman, John Waldrop, was unable to attend due to an emergency in his family. The Committee members presented the request of the full committee that the Board of Supervisors proceed with construction of one section of T-hangars at the airport. Cost for the unit were estimated at \$325,000 against a total income of \$3,095 per month. The Committee suggested acquiring a \$225,000 loan at 5% plus using \$100,000 from the sale of the property and trees. Payments would be approximately \$31,637.00 per year. After the ten year period, with a modest increase in rents, revenue should increase to approximately \$40,000.00 per year. No revenue was included for anticipated increased fuel sales.

Mr. Crittenden commented that the Board had prioritized projects at the airport to be the automated fuel system first, and the hangar project as second. The motion to include the hangar project in the budget was made by Mr. Crittenden, seconded by Mr. Jessie. Mr. Culley noted that this project would need to include the site plan and specifications. The Board agreed and the motion carried unanimously.

Mr. Crittenden noted that the Airport Committee had eliminated the need for the contractor to provide lighting with the automated fuel project; the County would contact Virginia Power to put up the pole.

Mr. Williams questioned what the cost of replanting the forested land would be.

DEPARTMENT OF FORESTRY

Mr. Todd Kready was present to introduce himself as the Department of Forestry forester assigned to Middlesex County.

TIDEWATER SOIL AND WATER CONSERVATION

Ms. Julie Pruitt was present to present an overview of the Tidewater Soil and Water Conservation activities and to request continued funding of their programs.

APPROPRIATION

The motion to approve the monies received for the lightning damage claim from August 16 was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously. FROM: 3-1-18030-0006, \$39,493.54, TO: 4-1-12190-5300.

UPDATE ON LANDFILL

Mr. Culley advised that testing and monitoring costs for the landfill should begin to decrease because the constituent levels that had caused the County to begin remediation monitoring have some consistent improvement.

OLD/NEW BUSINESS

Computer Services:

Mr. Crittenden questioned whether any prices had been obtained for assistance in maintaining the computer systems. Mr. Culley stated that he had met with two companies; one had provided a price and the other had requested additional information.

Deltaville Maritime Museum:

Mrs. Raynell Smith was present to invite the Board to the laying of keel ceremony for the John Smith barge to be held on March 11th at 1:00. Mrs. Smith stated that the Museum will go as far as their funds will allow them with building the boat. The finance committee has launched a campaign for fund raising, including letter and grant writing and soliciting the State for inclusion in the State's budget for next year. Mrs. Smith again requested the Board endorse their request for funding for the barge project. No action was taken at this time.

Street Name Request:

The motion to approve the name Sailor's Cove for a private road off of Jackson Farm Road was made by Mr. Crittenden, seconded by Mr. Williams and carried unanimously. It was noted that the first choice submitted was not available.

Jamestown Committee:

Mr. Miller reported that the County's Jamestown Committee would need funding for several upcoming projects. Mr. Miller was asked to find out the projects and the money needed prior to the beginning of the next fiscal year.

Hands Across Middlesex:

Mrs. Jones reminded the Board of the Rotary Dinner honoring the Hands Across Middlesex would be held on Saturday, March 11th.

CLOSED MEETING

The motion to convene in closed session to discuss personnel pursuant to Code of Virginia §2.1-3711.A1 and pending litigation for the Courthouse and Rosegill, pursuant to Code of Virginia §2.1-3711.A7 was made by Mr. Williams, seconded by Mr. Jessie and carried unanimously. Upon reconvening in open session, the following motion was made by Mr. Williams, seconded by Mr. Crump and carried unanimously:

- To the best of the members' knowledge only public business matters lawfully exempted from open meeting requirements under Code of Virginia §2.1-3711.A1 and Code of Virginia §2.1-3711.A1 as identified in the motion by which the Closed Meeting convened were heard, discussed, or considered by the public body.

Action:

There was no action as a result of the Closed Meeting.

BUDGET WORK SESSION

A budget work session was scheduled for Monday, March 13th, at 7:30 p.m.

APPROPRIATION

The motion to approve the appropriation of \$5,000.00 as overtime for the Sheriff's Department was made by Mr. Jessie, seconded by Mr. Crump and carried unanimously. FROM: 3-1-41060-0001, \$5,000.00 TO: 4-1-31020-1002.

AIRPORT MATTERS

The revised proposal from Mid-Atlantic Petroleum was received for installing the fuel card reader at the airport. The total contract cost is \$27,200.00, with the County installing the light for the facility. The motion to accept the contract was made by Mr. Crittenden, seconded by Mr. Crump and carried unanimously.

RECESS

There being no further business, the meeting would recess until the work session scheduled for March 13, 2006, at 7:30 p.m.

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