

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, SEPTEMBER 5, 2006, IN THE BOARD ROOM OF THE
WOODWARD BUILDING, SALUDA, VIRGINIA:

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

Absent: John D. Miller, Jr., Saluda District

Charles M. Culley, Jr., County Administrator
Marcia Jones, Assistant Administrator

CALL TO ORDER

The meeting was called to order at 9:00 A.M. by the Vice Chairman, Wayne Jessie. Prayer was led by Mr. Williams and Pledge of Allegiance led by Mr. Culley.

INTRODUCTIONS

New employees, L. "Tripp" Little and Kevin Gentry were introduced to the Board. Mr. Little is a new planner and Mr. Gentry is a computer support technician.

MINUTES

The motion to approve the minutes of the August 1st, August 15th, and August 22nd meetings as presented was made by Mr. Crittenden, seconded by Mr. Crump and carried unanimously.

DISBURSEMENTS

The motion to approve the disbursements as presented was made by Mr. Crump seconded by Mr. Williams and carried unanimously. Checks numbered 56075 through 56169 totaling \$221,712.76 were disbursed as approved.

CONSTITUTIONAL OFFICERS

Sheriff

Deputy Paige Bishop was present to represent the Sheriff. According to Mr. Bishop, the Sheriff's Department received 173 calls for service over the previous weekend, including during Tropical Storm Ernesto. The Sheriff's Department had

crews working with manpower from the regional jail keeping roads open for emergency vehicles.

Appropriation:

The motion to approve the following appropriation was made by Mr. Williams, seconded by Mr. Crittenden and carried unanimously: FROM: 3-1-16010-0009, \$280.00 TO: 4-1-31020-5412. This money was Circuit Court reimbursement for fingerprints made since January 2006.

Treasurer

The list of delinquent taxpayers will be printed in the September 14th paper. Mrs. Bray reminded the Board that delinquent taxpayers will not receive the 70% personal property tax relief, but will have to pay the full amount of their tax. The permanent decal ordinance will need to be advertised to be effective for 2007, but should still be done as soon as possible.

Commissioner of Revenue:

The new personal property book has been run showing an increase in values by \$125,595.71, a 4% increase. There is enough personal property tax relief money left over for supplements, approximately \$17,805.

With regard to reassessment, Mrs. Stephenson warned that one result of a low assessment ratio is low revenue from public utilities. The reassessment firms should be prepared to go out to community groups to let them know that the values will be going up. The Board has the option to lower the rates to compensate for higher values.

With regard to storm damage, the motion to adopt a storm policy allowing the replacement or repair of marine structures built in the past 10 years, waiving the building permit fee, but requiring a permit be issued, was made by Mr. Crump, seconded by Mr. Crittenden and carried unanimously. The Virginia Marine Resources Commission will be asked to provide the same waiver.

DEBRIS DISPOSAL

At this time, no sites have been designated for debris disposal. Citizens may haul storm debris to the landfill and the county will pay for its disposal; citizens must obtain a ticket from the Stormont site prior to taking it to Gloucester. Following Hurricane Isabel a chipping site was established behind the Cooks Corner Office Complex. This was expensive to operate, but was compensated with FEMA funds. The County will push for a federal disaster declaration which will allow federal funds to help pay for a site.

HIGHWAY MATTERS

Assistant Resident Administrator, Joyce McGowan, was present representing VDOT.

Tropical Storm Ernesto:

Mrs. McGowan thanked the Sheriff's Department for their assistance with clearing the roads. There were washouts on Routes 618 and 625, but both have been reopened.

Mr. Crump indicated that ditches were needed along Route 3 from Route 622 to 621 and down Route 621. According to Maintenance Supervisor Tommy Purcell, the right of way is not wide enough in some of those areas to allow for ditches without going on private property, and the property owners do not want the ditches.

Healy's Mill:

The Department has received back their copy of the agreement from the Board of Supervisors regarding the study and repairs on Route 629. This agreement had several items marked out, with the Board of Supervisors only agreeing that the study should be done. Mrs. McGowan commented that the Highway Commission will not proceed with the study until all conditions of the letter are approved and nothing will be done on other repairs that will be necessary in the same area due to Tropical Storm Ernesto.

Board members stressed that they wanted the study done and had agreed on the cost of no more than \$5,000.00. After the study is complete, the Board will consider who will pay for the repairs.

Jerry Ferguson – Butylo:

Mrs. McGowan stated that VDOT officials are still looking at the deed submitted by Mr. Ferguson. They had marked his driveway for him.

Bike Lanes:

The Department is looking at different options available for these projects.

PIANKATANK SHORES

Jackie Hewick and another representative from Piankatank Shores and explained that there were many citizens within the subdivision who were opposed to other property owners shooting at wildlife on their property. These lots are so close together that there is a fear that bullets flying from people shooting rabbits or other wild animals from their yards would cross into adjoining properties. The motion to request

the County Attorney to draft an ordinance for a future public hearing was made by Mr. Williams, seconded by Mr. Crump and carried unanimously.

DEBRIS SITE

The motion to proceed with establishing a chipper site behind the Cooks Corner Office Complex for storm debris was made by Mr. Williams, seconded by Mr. Crump and carried unanimously.

DECLARATION OF EMERGENCY

The motion to endorse the following Declaration of Emergency was made by Mr. Williams, seconded by Mr. Crittenden and carried unanimously:

DECLARATION OF A LOCAL EMERGENCY

AT A MEETING OF THE BOARD OF SUPERVISORS OF MIDDLESEX COUNTY, VIRGINIA, HELD AT 9:00 A.M. ON SEPTEMBER 5, 2006:.

WHEREAS, the Board of Supervisors of the County of Middlesex, Virginia, does hereby find as follows:

1. That due to the occurrence of Tropical Depression Ernesto, the County of Middlesex faced conditions of peril to the lives, safety and property of the residents of Middlesex County;
2. That as a result of this extreme peril, the proclamation of the existence of an emergency was necessary to permit the full powers of government to deal effectively with this condition of peril.

NOW, THEREFORE, BE IT HEREBY PROCLAIMED by the Board of Supervisors of the County of Middlesex, Virginia, that it ratifies the Declaration of Local Emergency that existed throughout the County of Middlesex; and

IT IS FURTHER PROCLAIMED AND ORDERED that during existence of this emergency the powers, functions, and duties of the Director of Emergency Services and the Emergency Services organization and functions of the County of Middlesex shall be those prescribed by the laws of the Commonwealth of Virginia and the ordinance, resolutions and approved plans of the County of Middlesex in order to mitigate the effects of said emergency.

In order to carry out the effect of this resolution, a sum of money, not to exceed \$250,000.00 is hereby appropriated from the county's unappropriated fund balance to cover the reasonable operational costs of emergency services pending further report to this Board and such additional appropriations as shall be deemed necessary to cover the expected scope of this emergency.

COMMITTEE REPORTS:

Mr. Crump: Attended the Virginia Department of Aviation Conference in Roanoke; will be working on funding for driveway paving. Conducted interviews with reassessment firms and will be making a recommendation at the evening meeting.

Mr. Williams: Attended the Social Services Board meeting. There was no meeting of the Planning District Commission in August.

Mr. Crittenden: Attended the Jail Board meeting. James Walden, on behalf of the Middlesex High Chargers Club, has requested that a Board of Supervisors member be a part of their fund raising group that is raising funds for the athletic programs at the high school. Mr. Crittenden suggested that Mr. Walden be invited to a Board of Supervisors meeting.

Mr. Jessie: Attended the Social Services Meeting. The Board will be having a special meeting on September 28th to recognize Jack Fackler and his service to Social Services.

REGIONAL JAIL

The motion to adopt a resolution thanking Mr. Harmon and the regional jail for their assistance during Tropical Storm Ernesto was made by Mr. Crump, seconded by Mr. Crittenden and carried unanimously.

RESOLUTION

DAVID L. HARMON

WHEREAS, David L. Harmon is Superintendent of the Middle Peninsula Regional Security Center; and

WHEREAS, Mr. Harmon has routinely offered man-power from the Security Center for various maintenance projects on county properties; and

WHEREAS, during Tropical Storm Ernesto Mr. Harmon offered the support of the Regional Security Center by clearing roads, opening an emergency shelter, preparing meals for county staff and donating sand bags; and

WHEREAS, Mr. Harmon often coordinates many efforts that often go unrecognized but are no less important;

NOW, THEREFORE, BE IT RESOLVED, that the Middlesex County Board of Supervisors hereby recognizes the efforts of Mr. Harmon to share the resources of the Regional Security Center during Tropical Storm Ernesto; and

BE IT FURTHER RESOLVED, that the Middlesex County Board of Supervisors and the citizens of the County express their sincere appreciation and heartfelt thanks for the invaluable services performed.

SCHOOL MATTERS

Appropriation:

The motion to approve the following appropriation was made by Mr. Crump, seconded by Mr. Williams and carried unanimously: FROM: 3-1-41060-0001, \$10,324.00 TO: 4-23-060010-6210; appropriation of state VPSA Technology Grant funds not spent in 2005/06.

COMMUNITY SERVICES BOARD

The motion to approve the service agreement between the County and the Community Services Board was made by Mr. Crittenden, seconded by Mr. Williams and carried unanimously:

APPROVAL OF PERFORMANCE CONTRACT

WHEREAS, §37.1-19 OF THE *Code of Virginia* [1950] as amended, requires each Community Services Board to submit, to the governing body of each political subdivision that established it, an annual performance contract for community mental health, mental retardation and substance abuse services for its approval prior to submission of the contract to the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services, and

WHEREAS, the Middle Peninsula – Northern Neck Community Services Board has put forward its proposed Performance Contract for Fiscal Year 2006, for approval by the Boards of Supervisors of its governing counties of Essex, Gloucester King and Queen, King William, Lancaster, Mathews, Middlesex, Northumberland, Richmond, and Westmoreland;

NOW, THEREFORE, BE IT RESOLVED BY THE Board of Supervisors of Middlesex County, Virginia, that the Performance Contract prepared by the Middle Peninsula-Northern Neck Community Services Board for Fiscal Year 2007 and presented to the Board is hereby approved and may be forwarded to the Department of Mental Health, Mental Retardation and Substance Abuse Services as further required.

RED CROSS

Mrs. Jones reported on her meeting with Red Cross. The Red Cross is looking for volunteers, up to 15 to work during an event. Also, appointees are needed for their Board of Directors, not just sitting on the Board, but participating.

The Red Cross assisted with feeding pockets of citizens in Middlesex County that were without power on Sunday and Monday. As of today, there were still 636 citizens without electricity.

The Red Cross is having a golf tournament fundraiser and Mrs. Jones suggested that the Board make a contribution by sponsoring a hole. The motion to contribute \$250.00 was made by Mr. Crittenden, seconded by Mr. Crump and carried unanimously.

Because the Virginia Department of Emergency Management has said that FEMA will not be providing ice to localities during future events, Mr. Crump suggested that the County look into arrangements for stockpiling ice and water.

APPROPRIATIONS

Homeland Security Grant:

The motion to approve the appropriation of \$36,707.82 to be returned to the Department of Emergency Management was made by Mr. Williams, seconded by Mr. Crump and carried unanimously. This money was part of 2004 grant funds that were received in April 2006 but could not be spent by the imposed deadline. FROM: 3-1-41060-0001, TO: 4-1-36050-7003.

Social Services Vehicle:

The motion to approve the purchase of a 2007 Impala from State contract for the Department of Social Services and approving the appropriation of funds for the purchase was made by Mr. Crump, seconded by Mr. Williams and carried unanimously. The total sum of \$14,776.00 is to be paid outright, rather than making monthly or annual payments. This vehicle is to be kept at the Social Services Building and a log kept of its use.

APPOINTMENTS

The motion to appoint Mrs. Diana Pitts to a full term on the Bay Aging Board of Directors subject to her acceptance was made by Mr. Williams, seconded by Mr. Crump and carried unanimously. Mrs. Pitts will serve a three-year term beginning October 1, 2006 and expiring September 30, 2009; she will be eligible for reappointment.

ADJOURN

There being no further business, the motion to adjourn was made by Mr. Williams, seconded by Mr. Crump and carried unanimously. The next regular meeting is scheduled for September 19, 2006, at 7:30 p.m.

Wayne H. Jessie, Sr., Vice Chairman
Board of Supervisors