

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, MARCH 6, 2007, IN THE BOARD ROOM OF THE
WOODWARD BUILDING, SALUDA, VIRGINIA:

Present: John D. Miller, Jr., Saluda District
Wayne Jessie, Sr., Jamaica District
Fred S. Crittenden, Pinetop District
Robert A. Crump, Saluda District
Kenneth W. Williams, Pinetop 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. Mr. Glenn Nix was introduced to the Board as the new 911/GIS Mapping Coordinator. Mr. Crittenden led the group in prayer; Mr. Culley led the Pledge of Allegiance.

MINUTES

The motion to approve the minutes from the meetings of February 6th, February 15th, February 20th and February 22nd 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. Crump and carried unanimously. Checks numbered 57792 through 57873 totaling \$146,430.82 were disbursed as approved.

CONSTITUTIONAL OFFICERS

Treasurer

Mrs. Thrift, Deputy Treasurer, was present to represent the Treasurer's office.

Commissioner of Revenue:

Mrs. Stephenson reported several items:

- She will not be running for re-election.

- Her recommendation for Personal Property Tax Relief would be 62.5%; this would put the County \$5,000.00 under what will be refunded by the State. There may be some funds left from the previous year to make up the difference.
- Business License collection is going well.
- The real estate sales ratio is set at 41.1%; believe the true value to be three times that.
- Believes a scam exists of businesses selling manufactured homes and not paying sales tax to have them registered with DMV even though the purchaser has paid the company the sales tax. In the three cases that have appeared, there is no manufacturer, year or identification number on the manufactured home that can be traced. The company that sold the homes is no longer in business.

Sheriff

There was no one present to represent the Sheriff's Department. The motion to approve the appropriation of funds received from the State Compensation Board in FY 06, but not distributed, was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously: FROM: 3-1-41060-0001, \$6045.91; TO: 4-1-31020-7005.

HIGHWAY MATTERS

Resident Administrator, Marcie Parker, was present representing VDOT.

Norris Bridge: Work on this project should be completed within the next 30 days.

Urbanna Bridge: Work on this project is due to be completed by August, however, it is not to interfere with the Art on the Half Shell festival.

Guardrail: The ball field area at the elementary school was re-checked and found that no guardrail was warranted, however, additional curve signs will be installed. Board members remarked that the railing was necessary to protect the children, not the drivers. VDOT was asked to mark the right of way and obtain costs for the County installing a guardrail of its own.

Outfall Ditches: Mrs. Parker presented a list of the major outfall ditches that are necessary for the highways to drain. The Department is still doing research to see which ditches it has right of way over for maintenance.

Butylo: Jerry Ferguson was present to request the Board's assistance with getting VDOT to acknowledge an existing construction drawing with pins shown as the final plat. A deed recorded in 1946 refers to a plat that was destroyed and refers to a 40 foot access to the water; the exact location is not known to VDOT. VDOT maintains the existing pavement, however, there is a six foot strip between the maintained pavement and the Ferguson property that Mr. Ferguson believes belongs to VDOT that VDOT does not maintain. An adjoining property owner has repeatedly removed gravel from this area and dug it out to prevent Mr. Ferguson from crossing it to access his property. Mr. Ferguson believes that he should not have to pay or file suit to have the property line established, when VDOT has already acknowledged that the property belongs to them. This issue is holding up Mr. Ferguson's purchase of adjoining property from the State. Mr. Ferguson indicated that he would pay for a culvert pipe at his property, if VDOT would allow it to be installed. Mrs. Parker indicated that she would like to put the pipe in, however, the Attorney General's office will not accept the existing plat as final.

Board members agreed that the existing construction plat should suffice for the missing plat referred to in the recorded deed and that Mr. Ferguson should not have to pay to provide further proof to VDOT or pay for further damage to the VDOT right of way by the neighbor. The motion to write a letter to the Attorney General requesting acceptance of the plat, and to contact Senator McDougal and Delegate Morgan for their assistance was made by Mr. Williams, seconded by Mr. Crump and carried unanimously.

Water View Dock: Mrs. Parker indicated that her office did not oppose the County reconstructing a dock at the Water View Landing, as long as Game and Inland Fisheries did not object and that a plat is checked to insure that the property does belong to the State.

Route 631: Mr. Crittenden complained about property washing on Route 631. Mrs. Parker noted that the Environmental section would be looking at resolving the problem within the next month.

Route 629: Mr. Crump asked if anything was being considered for stabilizing the other spots that have washed. Mrs. Parker indicated that nothing was being considered.

SCHOOL MATTERS

Mrs. Dawson was present representing the School Board. The motion to approve an appropriation for engineering and architectural plans for roof renovations at Middlesex High School was made by Mr. Crump, seconded by Mr. Crittenden and carried unanimously: FROM: 3-1-41060-0001, \$12,760.00, TO: 4-24-010010-8100. This is the same price quoted several years ago to engineer the entire flat roof section of the High School.

Enrollment is currently at 1298 with a budget based on 1279. Mrs. Dawson has been working on cuts to their budget; the School Board will meet Monday to adopt changes. The revised budget will be sent to the Supervisors and will include a list of the items cut.

MIDDLESEX CABLEVISION

William Newborg, Vice President and General Manager of Middlesex Cablevision and Donald Perry, Owner and President, were present to request an extension of the franchise agreement between the County and Middlesex Cablevision. The original franchise was granted in 1983 and expires February 2008. The motion to grant the five (5) year extension requested by the company was made by Mr. Crittenden, seconded by Mr. Williams and carried unanimously.

BUDGET REQUESTS

Middlesex Library:

Donna Will, Chairman of the Library Board, and Sherry Inabinet, Director, were present to request an increase in the County's contribution to the library for FY08. Mrs. Will informed the Board that the Library Board raised \$100,000 last year to contribute to their budget, but did not meet their goal. Additional funding was requested to increase their circulated materials budget, (requesting \$32,500, but need \$42,500), increase staff hours to four full time equivalents (currently 3), increase staff salaries, perform needed building maintenance (roof replacement, window caulking, painting, regular maintenance), and replace computers. The County contributed \$78,659.00 in the current budget; \$93,100.00 has been requested for FY 08.

Tidewater Soil and Water Conservation District:

Julie Pruitt was present to request the Board's endorsement of an increase to the contribution made to Tidewater Soil and Water. The County contributed \$3,660.00 to the current budget; \$6,000.00 has been requested for FY 08.

REASSESSMENT

Mr. Bill Coalson was present to update the Board on the current reassessment and sales study that is currently being made.

LEASE AGREEMENTS – PULLER CENTER

The motion to approve the lease agreement between the County and Bay Aging for the Senior Center was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously. This agreement will run from December 1, 2006 – November 30, 2006.

The motion to approve the lease agreement between the County and the Community Services Board for their use of the remainder of the Puller Center was made by Mr. Williams, seconded by Mr. Crump and carried unanimously. This agreement will begin July 1, 2007 and expire June 30, 2006.

APPROPRIATION REQUEST

FEMA: The motion to approve two (2) appropriations of funds, \$30,003.56 and \$20,756.71, received from FEMA as part of the reimbursement from Tropical Storm Ernesto was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously: FROM: 3-1-24040-0040 \$50,760.27 TO: 4-1-43020-5898

Rental Assistance: The motion to approve the appropriation of \$4,187.00 for rental assistance was made by Mr. Jessie, seconded by Mr. Crump and carried unanimously: FROM: 2-1-41060-0001; \$4,187.00 TO: 4-1-53090-5605

COMMITTEE REPORTS

Mr. Crump – Mr. Crump had nothing to report.

Mr. Williams – Reported on activities from the last Planning District Commission meeting.

Mr. Jessie – Reported for Social Services and the Museum Board. A dedication for the historical marker will be planned for some time in June.

Mr. Crittenden – Mr. Crittenden reported for the Airport Committee. The motion to endorse the request approved by the Airport Committee that a state employee be allowed to erect an emergency antenna to the beacon was made by Mr. Crittenden, seconded by Mr. Jessie and carried unanimously. Mr. Culley added that due to obstructions at the airport, a Notice to Airport had been posted which stated that an instrument approach was not authorized at this time. The County is working on having a survey made of the North end, which showed obstructions (trees) in the 15:1 glide slope.

OLD/NEW BUSINESS

Courthouse:

Mr. Culley reported that Judge Margaret Spencer has been appointed to hear the preliminary motions of the Courthouse case on February 23rd.

Dinner:

Jason Bray from the Middlesex Farm Bureau has invited the Board and their spouses to dinner some time in March. The Board suggested that the dinner be at Eckhart's Restaurant on March 22nd.

Groundwater Impact:

Norman Hall requested information on population and the number of residential and commercial structures for a report he is preparing on ground water impacts. Mr. Hall was instructed to contact the Weldon Cooper organization for this information. Mr. Hall could present the report to the County Administrator, who would have copies made for the Board.

CLOSED MEETING

The motion to meet in Closed Session for consultation with legal counsel regarding Healy's Mill, pursuant to §2.2-3711.A7, was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously. Upon reconvening in open session, the following motion was made by Mr. Crump, 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 as identified in the motion by which the Closed Meeting convened were heard, discussed, or considered by the public body.

There was no action as a result of the closed session discussion.

ADJOURN

There being no further business, the motion to adjourn was made by Mr. Williams, seconded by Mr. Crittenden and carried unanimously. The next regular meeting is scheduled for February 20, at 7:30 p.m.

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