

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS  
HELD ON TUESDAY, OCTOBER 2, 2007, 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. Mr. Miller led the group in prayer; Mr. Culley led the Pledge of Allegiance.

**SCOUT TROOP 341**

Chairman Miller recognized Miller Smither as a scout leader whose troop camped at Hummel Field recently.

**MINUTES**

The motion to approve the minutes from the meetings of September 4<sup>th</sup> and September 18<sup>th</sup> 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. Crump, seconded by Mr. Crittenden and carried unanimously. Checks numbered 59597 through 59689 totaling \$353,008.07 were disbursed as approved.

**CONSTITUTIONAL OFFICERS**

**Treasurer**

Mrs. Bray showed Board members the new decal that is proposed for vehicles registered in the County.

**Commissioner of Revenue**

Mrs. Ebinger reported that her office had been turned down as being a Department of Motor Vehicle Select office, as it was too close to others – Mathews County and West Point.

### **Sheriff**

The Sheriff reported that new cars had been received that had ballistic doors. Mr. Crittenden reported vandalism of election signs.

### **OPERATION THANKSGIVING**

Mr. William Bagby was present representing Bethlehem Star Lodge and requesting the Board's endorsement of the Lodge's Operation Thanksgiving project. This project is in its 18<sup>th</sup> year. The motion to endorse the project was made by Mr. Crittenden, seconded by Mr. Crump and carried unanimously.

### **HIGHWAY MATTERS**

Resident Administrator, Marcie Parker, was present representing VDOT.

**Norris Bridge** – re-inspection is being done on a problem pin in the bridge. The weight limits should be removed by the end of the week.

**Route 625** – turn lane has been re-stripped.

**Route 33** – paving from Route 630 to Route 628; final striping will include Route 628 turn lane

**Mowing** – final mowing will begin October 9

**Oyster Festival** – gearing up; some changes have been made.

**Healy's Mill** – Paving of repaired pavement will be made next week. There is no move toward opening. Mr. Crittenden commented that the County is looking for an interim fix.

**Route 3/33** directional signs – Waiting for a letter from traffic engineering

**Light at St. Clare Walker** – third on the list for funding.

**Racing at Harmony Grove Light** – Some racing has been noted; no incidents yet.

***Deltaville Maritime Museum*** – Mr. Culley requested the Board's direction to the Maritime Museum's request for culvert pipe installation. If the Board wishes to be responsible for the work done, then a resolution is needed to request waiving the bond. If the Museum is to be the responsible party, then they would be responsible for the work done by the contractor and the contractor would have to post a surety for his work. It was agreed that the Museum should obtain their permits.

### **COMMITTEE REPORTS**

Board members presented their reports of individual committee meetings.

### **SCHOOL MATTERS**

There was no representative from the school board present.

### **NATIONAL 4-H WEEK**

Extension/4-H Agent, Cynthia Rowles, presented the Board with a token of appreciation for their support of the 4-H program in Middlesex.

### **MAINTENANCE CONTRACT - COURTHOUSE**

The Board reviewed the proposed contract for maintenance of the HVAC units at the new courthouse, which can now include the controls along with the units. The cost to add maintenance of the controls for the first year is \$6,968.00 making the total cost for the first year, \$29,368.00. The cost increases by 4% for each of the five years of the contract. In addition to maintenance, the new contract will include software updates, which could run \$1,200.00 each year. The motion to accept the contract was made by Mr. Jessie, seconded by Mr. Crump and carried unanimously.

### **SALE OF FURNITURE**

Mr. Culley advised the Board that he had been offered \$600.00 for one of the record book cabinets in the old court record room. There is probably a limited market for this type of furniture. The Board agreed that the one unit could be sold for \$600.00 and suggested that the remainder be offered to the museum. Mr. Culley could then dispose of the units as best he can.

## **APPROPRIATION REQUESTS**

**Fire Program Fund:** The motion to approve the appropriation of \$24,750.00 in State Fire Program funds received was made by Mr. Crump, seconded by Mr. Crittenden and carried unanimously. The funds will be divided between the Upper Middlesex, Hartfield and Lower Middlesex Fire Departments. FROM: 3-1-24040-0010 TO: 4-1-32010-5605, 5606 and 5607.

**Regional Water Program:** The motion to approve the appropriation of \$6,000.00 for the County's participation in the regional water program through the Middle Peninsula Planning District Commission was made by Mr. Williams, seconded by Mr. Jessie and carried unanimously. FROM: 3-1-41060-0001 TO: 4-1-81010-6007

**Refund Reimbursement:** The motion to approve the appropriation of a \$183.06 refund was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously. FROM: 3-1-18030-0001 TO: 4-1-10020-5504, Airport – Travel Convention and Education.

## **VOTING DESIGNATION**

The motion to designate Mr. Williams as the County's voting representative at the upcoming Virginia Association of Counties meeting was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously. The motion to appoint Mr. Miller as alternate was made by Mr. Crittenden, seconded by Mr. Crump and carried unanimously.

## **RESOLUTIONS**

**Norris Bridge:** The motion to adopt the following resolution in support of a bridge to replace the Norris Bridge was made by Mr. Crittenden, seconded by Mr. Williams and carried unanimously:

### **NORRIS BRIDGE**

*WHEREAS, the Robert O. Norris, Jr. Memorial Bridge is 50 years old and is the oldest major bridge crossing of tidal rivers in Virginia, and*

*WHEREAS, this bridge has the same steel lattice construction design as the bridge that collapsed in Minneapolis, Minnesota, and*

*WHEREAS, the most recent bridge inspection resulted in weight limits being placed on the bridge, and*

*WHEREAS, the safety and welfare of travelers across the Robert O. Norris, Jr. Memorial Bridge and the continuation of commerce are of the utmost importance to our region and the Commonwealth, and*

*WHEREAS, the Harry Nice Bridge which crosses the Potomac River from Virginia to Maryland, slated to be replaced by the State of Maryland, is as old as the Robert O. Norris, Jr. Memorial Bridge, and*

*WHEREAS, the U. S. Senate approved spending \$1 billion to speed repair of substandard bridges across the nation by increasing appropriations to the Highway Bridge Replacement and Rehabilitation Program, and*

*WHEREAS, the bridge is in need of rust removal and painting and the current cost estimate to sand blast and paint the bridge is \$35 million and the estimated cost of replacement in today's dollars is \$150 million;*

*NOW THEREFORE BE IT RESOLVED that the Board of Supervisors does hereby respectfully request that the Virginia Commonwealth Transportation Board include the replacement of the Robert O. Norris, Jr. Memorial Bridge in the Virginia Six-Year Transportation Plan and that it consider any and all means to expedite the planning, design and construction of a new span.*

*BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Commonwealth Transportation Board and to the Fredericksburg District Administrator.*

**Criminal Justice Board:** The motion to adopt the following resolution in support of Gloucester County being the fiscal agent for the Middle Peninsula Criminal Justice Board was made by Mr. Williams, seconded by Mr. Crump and carried unanimously:

**RESOLUTION TO ADOPT AN AGREEMENT THAT MEMORIALIZES -GLOUCESTER COUNTY'S PARTICIPATION IN AND TO CONSENT TO GLOUCESTER COUNTY'S SERVICE AS FISCAL AGENT TO THE MIDDLE PENINSULA COMMUNITY CRIMINAL JUSTICE BOARD**

WHEREAS, the Board of Supervisors acknowledges that localities are required by law to establish a system of community based services and a pretrial services program; and

WHEREAS, the Board of Supervisors recognizes that on July 1, 1995, the Middle Peninsula Community Criminal Justice Board was established by the Counties of Essex, Gloucester, King and Queen, King William, Mathews and Middlesex pursuant to the Comprehensive Community Corrections Act for Local Responsible Offenders (now codified in Virginia Code § 9.1-173 *et. seq.*) and the Pretrial Services Act (Virginia Code § 19.2-152.2 *et. seq.*) to meet the requisites of the law; and

WHEREAS, King William County has, in the past, served as fiscal agent and administrator with authority to operate the regional programs since the inception of the Middle Peninsula Community Criminal Justice Board; and

WHEREAS, in 2006, the participating localities requested that Gloucester County replace King William County as fiscal agent and administrator on behalf of the participating localities; and

WHEREAS, Gloucester County consented to serving as fiscal agent and administrator, and began these duties on July 1, 2006; and

WHEREAS, the Board of Supervisors supports the participating localities; desire to reconfirm their commitment to a system of joint regional programs and formally consents to the designation of Gloucester County as fiscal agent and administrator.

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors this 2<sup>nd</sup> day of October, 2007 that the County Administrator is authorized to execute an Agreement substantially in the form

attached to this Resolution to facilitate future operations and transitions in administration and fiscal responsibility of the Middle Peninsula Community Criminal Justice Board.

***Oceana Outlying Landing Field Project:*** There was no action on a request to endorse King and Queen's resolution against the Oceana Outlying Landing Field Project.

***Payday Loan Rates:*** The motion to endorse the City of Staunton's resolution against interest rates above 36% for payday loans was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously.

### **NOVEMBER MEETING DATE**

The motion to adopt changing the November meeting date to November 7 due to local elections being held on November 6 was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously.

### **HANGAR CONTRACT AND FUNDING**

Mr. Culley advised the Board that the Industrial Development Authority had offered the Board a loan of \$350,000.00 at 5% interest for the construction of the hangar at Hummel Field. In comparison, the Virginia Resource Authority could offer the County a rate of 5.22%. The motion to accept the financing through the Industrial Development Authority and to accept the contract with Cirrus Construction for the building of the hangar was made by Mr. Crump, seconded by Mr. Crittenden and carried unanimously.

### **BROAD CREEK DOCK**

The Board was advised that repair to the decking of the public dock on Broad Creek was scheduled for Sunday. Application for two mooring pilings has been made to the Virginia Marine Resources at the request of local watermen. Mr. Williams noted that a conveyor has been placed on the dock to assist with unloading. Permission from the Board is needed to enable the conveyor to be left on the dock for the oyster season. Mr. Plakas commented that no one could use the dock as long as the conveyor is sitting there. It cannot be straightened out to allow enough room to pass because it is then too long for the dock. The motion to allow use of the conveyor as long as it does not block ingress or egress to the dock was made by Mr. Williams, seconded by Mr. Crittenden and carried unanimously. Mr. Plakas noted that he wanted the public dock to be maintained and remain usable to the public without disturbing his business.

**ADJOURN**

There being no further business, the motion to adjourn was made by Mr. Jessie, seconded by Mr. Crump and carried unanimously.

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