

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON TUESDAY, FEBRUARY 19, 2008, IN THE BOARD ROOM OF THE
WOODWARD BUILDING, SALUDA, VIRGINIA:

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

Michael T. Soberick, County Attorney
Marcia Jones, Assistant Administrator

Absent: Charles M. Culley, Jr., County Administrator

CALL TO ORDER

The Chairman Mr. Williams called the meeting to order at 7:30 P.M. Mr. Crittenden offered a prayer.

PUBLIC HEARING – REVENUE BOND

Mr. Soberick noted that the proposed resolution was being considered as a way of indicating that payment of the loan from the IDA would come from the revenue generated by the lease of hangars at the airport. Mr. Williams opened the public hearing for comments. There being no comments, the public portion was closed. The motion to approve the following resolution was made by Mr. Miller, seconded by Mr. Crittenden and carried, with Mr. Williams voting in opposition.

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MIDDLESEX, VIRGINIA
APPROVING THE FINANCING OF AIRPORT HANGARS FOR THE COUNTY BY THE
INDUSTRIAL DEVELOPMENT AUTHORITY OF MIDDLESEX COUNTY, VIRGINIA**

WHEREAS, the County of Middlesex, Virginia (**the “County”**) is a political subdivision organized and existing under the laws of the Commonwealth of Virginia;

WHEREAS, the County intends to acquire, construct, equip, install and furnish new 10-unit T hangars (**the “Hangars”**) for use at the County Airport to be located on real property in the County and to rent the Hangars to airplane owners under rental agreements that will provide rental income for the use of the Hangars (**the “Rentals”**);

WHEREAS, the Board of Supervisors adopted a resolution on December 18, 2007 (**the “Prior Resolution”**) which authorized the County to finance a portion of the costs of the Hangars from a loan by the Industrial Development Authority of Middlesex County, Virginia (**the “Authority”**);

WHEREAS, the Authority adopted a resolution at its meeting of January 17, 2008 authorizing a loan to the County for the Hangars to be evidenced by a Revenue Bond of the County, in an amount of up to \$350,000 at a rate of 5% per annum pursuant to a 10 year amortization (**the “Revenue Bond”**);

WHEREAS, the Board of Supervisors desires to confirm that the Revenue Bond will be a revenue bond under the Virginia Public Finance Act (**the “Act”**) and will be paid from, a revenue producing undertaking, the Rentals and additionally supported by the moral obligation of the Board of Supervisors;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS AS FOLLOWS:

Section 1. The Board, after public hearing pursuant to Section 15.2-2606 of the Act, hereby ratifies and confirms the Prior Resolution and all actions taken in connection therewith and hereby reaffirms the authorization and approval of the financing for the Hangars and the form of the Revenue Note attached hereto and incorporated herein by this reference in the amount of up to \$350,000 at a rate of 5% per annum, with a 10 year amortization.

Section 2. The Revenue Note shall be in substantially the form approved at this meeting with such changes, modifications, amendments and completions as may be deemed necessary or appropriate by the officer executing the Revenue Note and whose signature thereon shall be conclusive evidence of such necessity or appropriateness.

Section 3. The Chairman or Vice Chairman of the Board of Supervisors and County Administrator are each hereby authorized and directed to execute and deliver the Revenue Note to the Authority in connection with such financing, and any other document, instrument or certificate required or appropriate in connection with the closing of such financing, including but not limited to any replacement for an existing note with the Authority, which document, instrument or certificate is hereby authorized and approved with such changes, modifications, completions or amendments as may be deemed necessary or appropriate by such officers, the execution of which shall be conclusive evidence of such necessity or appropriateness.

Section 4. A certified copy of this Resolution shall be filed with the Clerk of the Circuit Court of the County of Middlesex Virginia pursuant to Section 15.2-2907 of the Act.

Section 5. This Resolution shall be immediately effective

PASSED AND ADOPTED THIS 19th day of February, 2008.

APPOINTMENTS

Board of Equalization:

The motion to appoint Mary Lou Stephenson, Curtis Jones and David South to the Board of Equalization was made by Mr. Miller, seconded by Mr. Crump and carried unanimously. This appointment is contingent upon Mrs. Stephenson being classified as an appraiser and each member completing their required instruction with the Department of Taxation and being appointed by the Circuit Court Judge.

Airport Committee:

Maxine Walker has submitted her resignation from the Committee effective January 28, 2008. The Committee recommended that Les Hockman be moved to the seat held by Ms. Walker, a Pinetop District seat, and Ed Fisher be appointed to the seat previously held by Mr. Hockman, an at-large seat. The motion to approve the

recommendation of the Airport Committee regarding this appointment was made by Mr. Crittenden, seconded by Mr. Miller and carried unanimously. Mr. Fisher's term will expire August 31, 2010; Mr. Hockman's term will expire August 31, 2009.

APPROPRIATION REQUEST

The motion to approve the following appropriation requests was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously: FROM: 3-1-12080-0007 \$36,609.200, TO: 4-1-10020-7003, funds received for the entrance road project at the airport. FROM: 3-1-16010-0011, Courthouse Security Fees, \$12,500.00, TO: 21010-1003, Courthouse Security; appropriation of a portion of the fees collected over the budgeted revenue for Courthouse Security. The fees collected under the Courthouse Security Ordinance can only be used for security purposes.

DISBURSEMENTS

The motion to approve disbursements was made by Mr. Miller, seconded by Mr. Crump and carried unanimously. Checks numbered 60909 through 61012 for \$121,736.06 were disbursed as approved.

PAYROLL

The motion to approve payroll for the month of February was made by Mr. Miller, seconded by Mr. Crump and carried unanimously. Checks numbered 60838 through 60907 totaling \$304,628.76 were distributed as approved.

OTHER BUSINESS

EMS Re-Districting:

Mr. Miller asked that the resolution adopted by the Board endorsing the retention of the Peninsula Emergency Medical District be sent to other counties in the VACo Region 2 area. Board members were reminded of the public hearing scheduled for February 25th, in Richmond. Mr. Crump is planning to attend.

Broad Creek Dredging:

Staff was asked to continue working on the Broad Creek dredging project and make application to the VMRC Sport Fishing Fund and the Port Authority.

Reassessment:

Mrs. Jones requested the Board's authorization to hire a clerk for Board of Equalization hearings. The Board approved hiring an hourly employee who would work approximately three to four months.

Budget Presentations:

Budget requests could be presented to the Board on the afternoon of the March 4th meeting.

Chesapeake Bay Magazine:

The motion was made by Mr. Crittenden, seconded by Mr. Crump to sponsor an ad for \$1,000.00 in Chesapeake Bay Magazine.

Comprehensive Plan:

Board members requested an update on the status of the Comprehensive Plan.

Locklies Creek:

Board members were updated on the Locklies Creek project. The Marina Program Manager is waiting for a recommendation from the Three Rivers Health District before he will submit the variance request to the Health Commissioner. This variance is required before VMRC will conduct a public hearing on the County's request for new mooring piles at the Locklies Creek Public Dock. Board members requested that Senator McDougle and Delegate Morgan be contacted for their assistance.

School Vehicles:

The School Board will be asked to provide a list of vehicles and mileage for budget purposes.

CLOSED MEETING

The motion to meet in Closed Session for consultation with legal counsel regarding issues of potential litigation and contracts, pursuant to §2.2-3711.A7, was made by Mr. Miller, seconded by Mr. Crump and carried unanimously. Upon reconvening in open session, the following motion was made by Mr. Miller, 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 §2.2-3711.A7 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 taken as a result of the closed session.

ADJOURN

There being no further business, the meeting was adjourned. The next meeting would be held on Tuesday, March 4, 2008.

Kenneth W. Williams, Chairman
Board of Supervisors