

AT A MEETING OF THE MIDDLESEX COUNTY BOARD OF SUPERVISORS
HELD ON WEDNESDAY, JANUARY 2, 2008, 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

This being the annual meeting of the Board of Supervisors, the meeting was called to order at 9:00 A.M. by the County Administrator, Mr. Culley. Mr. Miller led the group in prayer; Mr. Culley led the Pledge of Allegiance. Mr. Culley requested nominations for the position of Chairman. Mr. Crittenden made the motion to appoint Mr. Williams as Chairman; the motion to close nominations was made by Mr. Jessie. Mr. Williams was appointed Chairman unanimously. Mr. Jessie made the motion to appoint Mr. Crump as Vice Chairman, which was seconded by Mr. Miller. The nominations were closed by motion of Mr. Miller and Mr. Crump was appointed Vice Chairman by unanimous vote. The motion to continue meeting on the first and third Tuesdays of every month, at 9:00 A.M. and 7:30 P.M., respectively, in the Board Room of the Woodward Building, unless any changes are necessary due to holidays, was made by Mr. Miller, seconded by Mr. Williams and carried unanimously. Mr. Williams took the Chair.

MINUTES

The motion to approve the minutes from the meetings of December 4th and December 18th was made by Mr. Miller, seconded by Mr. Crump and carried unanimously.

DISBURSEMENTS

The motion to approve the disbursements as presented was made by Mr. Crump seconded by Mr. Jessie and carried unanimously. Checks numbered 60452 through 60556 totaling \$227,251.31 were disbursed as approved.

CONSTITUTIONAL OFFICERS

Sheriff

Sheriff Abbott had nothing to report. Board members thanked the Sheriff for the Swearing In Ceremony he hosted in December.

HIGHWAY MATTERS

Mrs. Joyce McGowan, Assistant Resident Administrator, was present and updated the Board on on-going projects.

Route 629:

Mrs. McGowan stated that highway engineers had visited Healy's Mill on Route 629 to try to determine whether or not the dam could withstand additional testing for a temporary crossing. A full report is being prepared and hoped to be available by the end of February.

Other Projects:

Route 631: Mr. Crittenden requested some additional attention to erosion on the right hand side.

Signal at Route 227 & 33: The left turn arrow from Route 33, heading west, did not seem to be working.

Route 629 at Grafton Church: There are several large potholes at this location that need attention.

Route 620: Design for light is on schedule; it is in the funding schedule for 2009.

CONSTITUTIONAL OFFICERS, CONTINUED

Treasurer

There were no questions for Mrs. Bray.

Commissioner of Revenue

Mrs. Davenport was welcomed as the new Commissioner of the Revenue and was presented with a plaque for her service on the Planning Commission. There were no questions for Mrs. Davenport.

SCHOOL MATTERS

Superintendent Rusty Fairheart was present and issued the following reports: attendance is at 1270; projected enrollment for the year was 1305, which was built on the spring 2007 enrollment of 1307. Two applications were received for the Clerk of the Works position for the high school roof project; interviews will be scheduled in the near future. The instant alert system is up and running. It was requested that two members of the Board of Supervisors be appointed to serve on the Syd Thrift Athletic Complex Committee. Mr. Williams advised Mr. Fairheart that he would be making appointments at the January 15th meeting.

A pre-construction meeting is scheduled for January 8th and Mr. Fairheart requested attendance by a Board representative.

ANIMAL RESOURCE FOUNDATION

Mrs. Linda Hawryluk presented information to the Board regarding the Animal Resource Foundation and their efforts to provide high-quality, high volume, affordable, spay/neuter surgeries as the non-lethal solution to pet over-population. This group, which began in 2003, believes that the only proven solution to controlling over population is an aggressive spay/neuter program. In 2008, ARF will open a clinic in White Marsh that will perform a minimum of 5,000 low-cost surgeries per year. A van would be available to pick up animals from each county and return them after their surgeries. This program is modeled after a successful program in North Carolina. Current fundraising will allow them to open the clinic and will subsidize surgeries; action on several grants is pending. The clinic will only perform spay/neuter surgeries. The motion to approve an immediate donation of \$1,000.00 was made by Mr. Crittenden seconded by Mr. Miller and carried unanimously. This item would also be considered for inclusion in the 2008 budget.

FIRST COMMONWEALTH CABLEVISION

William Newborg, General Manager of First Commonwealth Cablevision, was present to introduce the Board to Danny Jobe of MetroCast Communications. MetroCast is the contract purchaser of the cable company. Transfer of the franchise agreement by the Board of Supervisors is required. Mr. Jobe stated that the company operates small systems on the east coast, maintaining local offices and striving to maintain local services. Mr. Jobe confirmed that the Saluda office will remain along with the employees. The motion to approve the transfer of the franchise agreement was made by Mr. Miller , seconded by Mr. Crump and carried unanimously.

REASSESSMENT

Bill Coalson, Tri-County Appraisal, was present to update the Board on the status of the current assessment. Mr. Coalson reported that the field work has been

completed and within the next two to three weeks his company will be re-evaluating the properties that were under construction. They have not completed the evaluation of all the properties. Sales are currently about 8% off, with sales taking an average of six months. In some areas values have declined from last year, nothing significantly. The perception from the general public will be that values should not be increasing by 50-60% in a declining market, however, Mr. Coalson reminded the Board that it has been four years since the last assessment. Mr. Coalson will be including information in the newspaper and on assessment notices to try and explain this and will also provide sales information for review by the citizens; assessments can only be based on sales. The goal is to have hearings the end of February, the first part of March. Mr. Coalson will have extra manpower available to handle calls.

Mr. Culley asked if the issue of a minimum value has been addressed. During the last assessment, the computer system assigned a value of \$100.00 as \$100 per square foot, rather than a total value of \$100.00. Mr. Coalson assured Mr. Culley that this has been corrected, along with several other issues that were brought to his attention.

Mr. Crump stated that he was aware of some communications issues between Mr. Coalson's staff and the Commissioner's staff that needed to be addressed. Mr. Coalson stated that he was not aware of any problems, however, he would discuss the issues with his staff.

Mr. Culley reminded Board that they would need to make appointments to the Board of Equalization.

MIDDLESEX VOLUNTEER RESCUE SQUAD

Middlesex Volunteer Rescue Squad has requested that the Board consider leasing a portion of land where the current YMCA is to construct a building to house two units and staff as a satellite facility. No events will be held at the building. The Squad has requested to tie the proposed building into the existing septic and water systems. The motion to approve the request was made by Mr. Miller, seconded by Mr. Crump and carried unanimously. It was suggested that the building be located as far to the east as possible to preserve the ball field that is used by the Little League. Mr. Culley is to find the location of the property line and work out an arrangement with the YMCA and Rescue Squad.

APPROPRIATION REQUEST

Mr. Culley informed the Board that the Health Department has requested an appropriation of \$6,185.00. The approved state budget was based on the FY 07 county budget, plus an additional appropriation made mid-year, plus 5%. The approved county budget for FY 08 did not include the additional appropriation made mid-year. The motion to approve the appropriation of \$6,185.00 was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously.

REFUND

The motion to approve refunding a permit fee of \$122.10 to James River Air Conditioning Company was made by Mr. Crump, seconded by Mr. Jessie and carried unanimously. The homeowner chose another company to perform this work and the other company had also paid the fee.

APPOINTMENTS

The motion to appoint Theresa Anderson to fill Bonnie Davenport's unexpired term on the Planning Commission was made by Mr. Miller, seconded by Mr. Crump and carried unanimously. This position will expire June 30, 2009.

The motion to appoint Robert LeBoeuf to fill Claude Boyd's unexpired term on the Industrial Development Authority was made by Mr. Crittenden. Appointment on the Authority is not tied to districts. Mr. Williams seconded the motion, which was carried unanimously.

WETLANDS BOARD – CIVIL PENALTIES POLICY

The Wetlands Board requested that the Board of Supervisors approve the use of civil charges to be considered when contractors are involved in a wetlands violation. The Wetlands Board has proposed that the same charge schedule used by the Virginia Marine Resources Commission be used for contractors; it is already being used with property owners found in violation of the county ordinance. A policy for after-the-fact fees is already in place. The fees collected must go into a wetlands mitigation or restoration project. Mr. Culley reminded the Board that the owner and contractor must agree to pay the fee. The County has the option to take the owner and/or contractor to court if they do not agree to pay the fee.

The motion to approve the following policy and fees was made by Mr. Crump, seconded by Mr. Crittenden and carried unanimously:

1. The property owner is ultimately always liable for paying for their After-the-Fact Wetlands Permit. This fee is \$550.00, instead of the usual \$150.00. The contractor may offer to pay for this but cannot be forced to pay.
2. If a civil penalty is considered necessary, both the property owner and contractor must be given an equal amount in civil penalty.

The following table is to be used for determining civil charges:

		Relative Degree of Deviation or Non-Compliance		
		MINOR	MODERATE	MAJOR
Environmental Impact	SIGNIFICANT	\$5,000.00	\$7,500.00	\$10,000.00
	MODERATE	\$1,500.00	\$3,000.00	\$4,500.00
	MINIMAL	\$500.00	\$1,000.00	\$1,500.00

COMMITTEE REPORTS

Board members presented their reports of individual committee meetings. Mr. Culley updated the Board on the hangar project. The contractor ran into bad soils in the area of the taxiway, which had to be removed. The engineer for the county has said that the project was a design/build and the contractor was responsible for checking out the soil conditions. No payment for removal of the bad soil has been made.

The contract signed between the Social Services Board and the directors from King William and Mathews counties expired the end of December.

Mr. Crump suggested that the Judge officially make the Board of Supervisors the caretakers of the portraits that hang in the historic courthouse. Mr. Culley would contact Judge Shaw.

No action has been taken by the Health Department on the variance request for the public dock at Locklies Creek.

Mr. Culley was asked to look into demolition of the old Rappahannock Elementary and contact someone for an estimate. Mr. Crump noted that the old cafeteria could maybe be used for storage, possibly to store the items stored in the old cafeteria (metal building) at the Cooks Corner Office Complex. The newer building at Rappahannock Central needs to be utilized.

ADJOURN

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

Kenneth W. Williams, Chairman
Board of Supervisors